THOMAS PAINE

The American Heritage Series

OSKAR PIEST, General Editor

[NUMBER FIVE]

THOMAS PAINE

THOMAS PAINE

COMMON SENSE
AND
OTHER POLITICAL WRITINGS

Edited with an Introduction by
NELSON F. ADKINS
Professor of English New York University

THE LIBERAL ARTS PRESS
NEW YORK

Published at 153 West 72nd Street, New York 23 N Y

Printed in the United States of America

CONTENTS

THOMAS PAINE'S POLITICAL WRITINGS

PAINE'S LIFE AND WORKS. A CHRONOLOGY

1737 Born January 29, at Thetford, Norfolk, England
Educated at the Thetford Grammar School

1750–74 Employed by his father as a staymaker, served as a sailor on a privateer, taught school Employed by the government as a collector of the excise, dismissed, but re-employed

1759 Married

1760 Death of his wife

1771 Remarried

1774 Separated from his second wife
Dismissed from his excise post a second time Went bankrupt
Met Benjamin Franklin and emigrated to America bearing a letter of introduction to Franklin's son in law, Richard Bache

1775 March 8, publication of "African Slavery in America," an attack on the slavery of Negroes in the Colonies This won him the friendship of Benjamin Rush and others
October 18 publication in *The Pennsylvania Journal* of A Serious Thought' espousing the cause of independence for the Colonies
Contributor to various other periodicals
Served as editor of *The Pennsylvania Magazine* for eighteen months

1776 January 10 publication of the pamphlet, *Common Sense*
Served in the Continental Army as aide-de-camp to General Greene

December 19, publication of the first of the *American Crisis* papers, the last of which, "A Supernumerary Crisis," was published December 9, 1783

1777–79 Served as Secretary of the Committee of Foreign Affairs in Congress

1779 Dismissed from that post as a result of a public controversy with Silas Deane, during the course of which Paine published secret material

1779–80 Served as clerk to the Pennsylvania Assembly

1780 Received a Master of Arts degree from the University of Pennsylvania

Instrumental in forming the bank which later became the Bank of North America

December 30, publication of the pamphlet, *Public Good, concerning the right of the United States to certain territory claimed by the state of Virginia*

1781 Short trip to France with Col John Laurens to solicit French aid for America

1782–83 December–February, publication in the *Providence Gazette* of six letters attempting to persuade Rhode Island to ratify the five per cent duty on imported articles passed by Congress

1786 Publication of *Dissertations on Government, the Affairs of the Bank, and Paper Money* a defense of the bank formed in 1780 and an attack on the use of paper money

1787 Went to France to promote his design of a single arch iron bridge

Saw much of Jefferson in Paris

August 30 left for England, where he visited his mother published *Prospects on the Rubicon*, and corresponded with Jefferson

1789 In Paris September to March Aided in drawing up the '*Declaration of the Rights of Man and of Citizens*

1791 February, publication in England of *Rights of Man*, Part I Translated and published in France in May

July 1, with Achille Duchâtelet, nailed to the door of the French Assembly "A Republican Manifesto," calling for the abolition of monarchy

With Condorcet, Bonneville, and others, founded the "Société Républicaine," and the journal, *Le Républicain*

August, publication of "Address and Declaration of the Friends of Universal Peace and Liberty"

1792 February, publication in England of *Rights of Man*, Part II

June 8, as a result of the publication, charged with sedition, trial set for December

Wrote *Letter Addressed to the Addressers on the Late Proclamation*, inciting the British people to form a republic

September 12 made a revolutionary speech to the society of the "Friends of Liberty" and the next day escaped to France, arriving in Paris on September 19

Almost immediately after arrival in Paris, took a seat in the Convention

As a result of *Rights of Man* and the *Address*, Paine burned in effigy throughout Britain, and, on December 18 officially outlawed from that country

1793 Member of a nine-man committee—with Condorcet, Brissot, Sieyès, and others—to write a constitution for France The resulting document not adopted

Alienated the Jacobins by his opposition to the execution of Louis XVI

Arrested in December and held in prison until November 1794 as an Englishman

1794 Publication of *The Age of Reason*, Part I, in Paris, New York and London

Released November from prison at the request of the American ambassador James Monroe, on the grounds that Paine was an American citizen

	Lived at Monroe's home for 18 months, recuperating from the effects of his confinement in prison
1795	Readmitted to the Convention Published, in Paris, *Dissertation on First Principles of Government*
1796	Published *Age of Reason*, Part II Published *Decline and Fall of the English System of Finance* and *Letter to Washington*
1797	Publication of *Agrarian Justice* and *Discourse to the Theophilanthropists*
1802	Returned to America after receiving an offer of assistance from Jefferson Attacked the Federalists in eight *Letters to the Citizens of the United States*
1809	Died June 8, and buried in New Rochelle, New York

INTRODUCTION

I

Thomas Paine was one of those great humanitarian spirits who illuminate with rare intensity the age into which they are born In any study of the man's political and social thinking, we must therefore regard him above all a lover of mankind By temperament Paine, throughout life, was revolted by human suffering, and with a mind to a large degree pragmatic he diligently sought out the causes of injustice Never a pessimistic determinist, Paine, even in the darkest periods of his life, retained at least some faith in his fellow man, and it was his firm conviction that human suffering might be mitigated by bringing men more fully to understand the principles of good government Paine saw clearly that "a great portion of mankind in what are called civilized countries, are in a state of poverty and wretchedness "[1] To oppressive governments he laid the blame for this "disgustful picture of human wretchedness "[2] "Why is it" he asks, 'that scarcely any are executed but the poor? The fact is a proof, among other things, of a wretchedness in their condition '[3] So far as government is concerned he felt that monarchy violates the spirit of humanitarianism operating as a monarchy must always operate for the good of the few No clearer declaration may be found of Paine's belief in the close relation of government and the betterment of mankind than in his assertion that 'the true greatness of a nation is founded on the principles of humanity "[4] It is in part the purpose of this Introduction to trace out in Paine's life and works what he believed the proper functioning of these principles.

[1] *Rights of Man* in *The Writings of Thomas Paine* ed by Moncure Daniel Conway (New York, G P Putnam's Sons 1894-96) II 454. Hereafter in the footnotes this collected edition of Paine's writings will be referred to as "Conway" [2] P 114

[3] *Rights of Man* Conway II 462

[4] *Prospects on the Rubicon* Conway II 195

If we may say that a great humanitarian like Paine must have been born rather than made, we should not fail also to take into account innumerable factors which served to strengthen and indeed to condition the humanitarian temperament of the man Paine we need always remember possessed the incalculable advantage of living in the eighteenth century Yet in undertaking a brief survey of the ideological backgrounds of the era we should observe at the outset that Paine seems never to have been an exhaustive reader—never a learned man like his friend Thomas Jefferson What learning he did possess he often picked up on the run But for Paine to have been generally informed regarding the great principles that made the latter half of the eighteenth century a hot bed of radicalism and reform he need not have been an avid reader As Professor Gilbert Chinard has so rightly pointed out

> We shall have to admit that there are times when ideas are 'in the air' when they seem common property and when the attribution to any one man of the paternity of any particular idea is well nigh impossible The eighteenth century was undoubtedly such a period [5]

If we consider the bulk of Paine's writings we are surprised how seldom the great thinkers of the seventeenth and eighteenth centuries are mentioned Occasionally the physiocrats Quesnay and Turgot as well as the philosopher Montesquieu are mentioned in the pages of Paine's works though the impact of their ideas on Paine seems to have been slight The writings of Rousseau and the Abbé Raynal he regarded as possessing a loveliness of sentiment in favor of liberty that excites respect and elevates the human faculties but having raised [the readers] animation they do not direct its operation and leave the mind in love with an object without describing the means of possessing it [6] In Paine's thinking there is indeed little to suggest the sentimental idealism of Rousseau—little that can be interpreted as a return to nature in the *Rousseauistic* sense Essentially a

[5] *The Correspondence of Jefferson and DuPont de Nemours* ed by Gilbert Chinard (Baltimore 1931) p xi The publisher of the work Johns Hopkins Press has kindly granted permission to use this quotation

[6] Conway II 334

rationalist, Paine may be more accurately associated with two seventeenth-century thinkers whose work exerted a profound influence on the following century Newton and Locke

Strange to say, these writers, too, are infrequently mentioned in Paine's published writings, and we are naturally led to question his firsthand acquaintance with their work Yet we do know that at the age of twenty Paine attended lectures on Newtonian astronomy delivered by Benjamin Martin and James Ferguson, and Professor Clark has pointed out certain parallels in thought between Paine and these two popularizers of Newtonian principles[1] The influence here is at best religious, the political influence of Newtonianism is more difficult to demonstrate In concluding the eighth of the *Crisis* papers, Paine expresses the conviction that

> [illegible] ind [illegible] to [illegible] his [illegible] the he[illegible] and sc[illegible]

Of the handful of specific references to Newton, this is most nearly concerned with political theory though the connection is even here remote and tenuous Of course, Paine's works contain more passages that without mentioning Newton, seek to draw an analogy between Newtonian physics and government In the second part of the *Rights of Man* Paine asserts,

> [illegible] our [illegible] Na[illegible] mer[illegible]

In asserting that "Nature is orderly in all her works" Paine is, of course alluding to the order and design of the Newtonian universe but it is not immediately evident how monarchy violates

[1] Harry H Clark, "An Historical Interpretation of Thomas Paine's Religion," *University of California Chronicle* XXXV (1933) 56-87

[2] Conway I 300. [3] P 131

If we may say that a great humanitarian like Paine must have been born rather than made, we should not fail also to take into account innumerable factors which served to strengthen and indeed, to condition the humanitarian temperament of the man Paine, we need always remember, possessed the incalculable advantage of living in the eighteenth century Yet in undertaking a brief survey of the ideological backgrounds of the era we should observe at the outset that Paine seems never to have been an exhaustive reader—never a learned man like his friend Thomas Jefferson What learning he did possess he often picked up on the run But for Paine to have been generally informed regarding the great principles that made the latter half of the eighteenth century a hot bed of radicalism and reform he need not have been an avid reader As Professor Gilbert Chinard has so rightly pointed out

> We shall have to admit that there are times when ideas are 'in the air when they seem common property and when the attribution to any one man of the paternity of any particular idea is well nigh impossible The eighteenth century was undoubtedly such a period [5]

If we consider the bulk of Paine's writings we are surprised how seldom the great thinkers of the seventeenth and eighteenth centuries are mentioned Occasionally the physiocrats Quesnay and Turgot as well as the philosopher Montesquieu are mentioned in the pages of Paine's works though the impact of their ideas on Paine seems to have been slight The writings of Rousseau and the *Abbé Raynal* he regarded as possessing a loveliness of sentiment in favor of liberty that excites respect and elevates the human faculties but having raised [the reader's] animation they do not direct its operation and leave the mind in love with an object without describing the means of possessing it [6] In Paine's thinking there is indeed little to suggest the sentimental idealism of Rousseau—little that can be interpreted as a return to nature in the Rousseauistic sense Essentially a

[5] *The Correspondence of Jefferson and DuPont de Nemours* ed by Gilbert Chinard (Baltimore 1931) p xi The publisher of the work *Johns Hopkins Press has kindly granted permission to use this quotation*

[6] Conway II 334

That Paine had never read any of Locke seems an absurdity, yet had he been a deep student of the English theorist, it seems improbable that he would have disclaimed all knowledge of the English thinker. The truth probably lies somewhere between the two extremes. But despite parallels in phrasing which have at times been noted by scholars it is safe to assume that much of Paine's knowledge of the "rights of man" and the "social compact" must have come to him by devious and indirect sources. Paine, for example, was acquainted with the writings of Dr. Richard Price, whose political theory rested heavily on the doctrine of natural rights. For some of his ideas on popular government Paine may well have been indebted to a work by James Burgh entitled *Political Disquisitions: or, an Enquiry into Public Errors, Defects, and Abuses* (1774-75). This treatise in three volumes, mentioned in *Common Sense*, appears to have derived in part from Locke.

Indeed, Locke himself was not the originator of these liberal principles of government to which we have just referred. It was rather Locke's distinction to have given "clear and reasonable expression to beliefs that were the product of centuries of political experience and the stock in trade of liberty-loving Englishmen and Americans."[12] These beliefs stood in marked contrast to another ideology, again centuries in the making, but for the seventeenth century made popularly available in Hobbes' *Leviathan* (1651). Hobbes based his case for monarchical government on the assumption that man in a state of nature is essentially bad, and that society without a strong restraining hand can never hope to emerge from a condition of anarchy or war. The state therefore becomes an artificial contrivance by which men, clearly perceiving the dangers of isolated existence, agree, for the maintenance of their own happiness, to submit themselves to the will of an individual or group of individuals who will maintain law and order.

Locke in his *Two Treatises of Government* (1690) presents a theory of the state diametrically opposed to Hobbes', and posses-

[12] John Locke, *The Second Treatise of Government*, ed. by Thomas P. Peardon (N. Y.: The Liberal Arts Press, 1952), p. xiii.

the Newtonian design of the universe Even more fanciful is Paine's assertion that "It is only by organizing civilization upon such principles as to act like a system of pulleys that the whole weight of misery can be removed "[10] Although we may acknowledge Paine's indebtedness to a Newtonian concept of the universe in his deistic thinking (especially in the *Age of Reason*), his application of this line of reasoning to politics and government leaves us almost wholly unconvinced At best his acceptance of a Newtonian universe, far from having played a major role in shaping his political theories, served mainly as an indirect means of supporting, through analogy, social and governmental ideas arrived at by wholly different means

Again Paine refers little to John Locke in his writings, and the few references to the English thinker made during the close of Paine's life are in refutation of James Cheetham's assertion that Paine had drawn heavily upon Locke in writing *Common Sense* and the *Rights of Man* "It may be so for what I know," Paine replied to Cheetham, who was both a personal and political enemy, "for I never read Locke, nor even had the work in my hand" Paine further claims to have been informed of some of Locke's ideas by Horne Tooke, the English politician, and on this basis Paine condemns Locke's writings as speculative and impractical Then with an irrelevance at times so characteristic of Paine, he proceeds to note what he insists originally turned his attention to the theory of government

So far from taking any ideas from Locke or from anybody else, it was the absurd expression of a mere John Bull, in England, about the year 1773, that first caused me to turn my mind to systems of government In speaking of the then king of Prussia, called the Great Frederick, he said, "He is the right sort of man for a king, for he has a deal of the devil in him" This set me to think if a system of government could not exist that did not require the devil, and I succeeded without any help from anybody[11]

[10] *Agrarian Justice* Conway III 337

[11] 'Reply to Cheetham in *The Political Writings of Thomas Paine* (Granville Middletown N J., 1839), II 491 492 Hereafter this edition of Paine's works will be referred to as '1839 ed"

was a Quaker, and Paine himself at times spoke with approbation of the sect, Moncure Conway has placed much emphasis on the possible impact which the doctrines of the Society of Friends had on Paine's democratic thought Of the Pennsylvania Quakers during the war, Paine had no illusions In the third *Crisis* paper and elsewhere he condemned them without reservations for their pacifism—and by implication for their Tory sympathies Yet after the war and especially with his return to America in 1802, Paine wrote of the Quakers as "a people more moral and regular in their conduct than the people of other sectaries"[14] Indeed, he was to recall that he himself was "a descendant of a family of that profession especially commending the Quakers "for their care of the poor of their Society and 'for the education of their children [15] Finally in his will he expressed the wish that he be interred in their burial ground if they would permit someone not a member of their Society to be buried there[16] The broad humanitarianism as well as the equalitarianism of the Quakers, must early have responded to Paine's democratic imagination, and the Quaker beliefs are assuredly a factor to be reckoned with in surveying the liberal and democratic influences exerted upon him But Paine was too much a rationalist to accept the full mystical import of the Quaker faith so that as a stimulus to his liberal thinking the principles of the Friends must have been limited to that expansive humanitarianism for which in general the eighteenth century so clearly stood

In concluding this review of the backgrounds of Paine's political speculations we should not forget some of the facts of his early life in England which had encouraged his thinking along liberal not to say radical lines Born of parents who with only the greatest difficulty could send their son to school Paine at the age of thirteen began to work at the side of his father as a staymaker During the years which were to follow Paine in the midst of numerous attempts to improve his condition was perpetually brought face to face with misery and poverty At the age of twenty five he became an excise man Discharged three years

[14] *Prospect Papers* Conway IV 340

[15] *Worship and Church Bells*, Conway IV 252

[16] Conway IV, 509

ing liberal and even democratic implications unknown to the author of *Leviathan* The essential reason for the difference in the political thinking of the two writers lies in their assumptions regarding human nature To Hobbes man's nature was inherently bad and warlike, to Locke it was essentially good and peace ful To be sure, men and nations have at times fought among themselves, and have shown themselves to be anything but peaceful But may not this discord spring from man's failure to act in strict accord with the laws of nature? Of the truth of this assump tion Locke had no doubt Man is a rational being, and the laws of nature should at all times be his guide As Professor Peardon has said

> *the chief lesson John Locke learned from the law of nature*
> ... depend-
> among

But, after all, Locke was no more an advocate of a state of nature than was Hobbes, and Locke insisted that if man is to secure his natural rights in the midst of civilization he must meet his neigh bors on equal terms That is, natural rights must be implemented by contract The primary object of this political agreement is to keep intact, so far as possible, the natural liberties of mankind, *and men must therefore surrender only so much freedom as will* make the maintenance of these liberties possible Locke's con tract concerned only free persons, and did not include the rulers Unlike Hobbes, who thought of the sovereign's power as being absolute Locke regarded the ruler as holding his power solely in trust This "fiduciary power" is exercised "for the good of the community" Such, in brief is Locke's doctrine of natural rights, with the concomitant theory of the social contract And even if Paine, as he asserted had never read a word of Locke, it may readily be seen that his writings are veined with expressions of, and allusions to these political principles

One further ideology presents itself to our attention as a fac tor contributing to Paine's political thinking Since Paine's father

[13] *Ibid* p xv

was a Quaker, and Paine himself at times spoke with approbation of the sect, Moncure Conway has placed much emphasis on the possible impact which the doctrines of the Society of Friends had on Paine's democratic thought Of the Pennsylvania Quakers during the war, Paine had no illusions In the third *Crisis* paper and elsewhere he condemned them without reservations for their pacifism—and by implication for their Tory sympathies Yet after the war, and especially with his return to America in 1802, Paine wrote of the Quakers as "a people more moral and regular in their conduct than the people of other sectaries" [14] Indeed, he was to recall that he himself was "a descendant of a family of that profession especially commending the Quakers "for their care of the poor of their Society" and "for the education of their children" [15] Finally in his will he expressed the wish that he be interred in their burial ground if they would permit someone not a member of their Society to be buried there [16] The broad humanitarianism as well as the equalitarianism of the Quakers, must early have responded to Paine s democratic imagination, and the Quaker beliefs are assuredly a factor to be reckoned with in surveying the liberal and democratic influences exerted upon him But Paine was too much a rationalist to accept the full mystical import of the Quaker faith so that as a stimulus to his liberal thinking the principles of the Friends must have been limited to that expansive humanitarianism for which in general the eighteenth century so clearly stood

In concluding this review of the backgrounds of Paine's political speculations we should not forget some of the facts of his early life in England which had encouraged his thinking along liberal not to say radical lines Born of parents who with only the greatest difficulty could send their son to school, Paine at the age of thirteen began to work *at the side* of his father as a stay maker During the years which were to follow Paine, in the midst of numerous attempts to improve his condition, was perpetually brought face to face with misery and poverty At the age of twenty five he became an excise man Discharged three years

[14] *Prospect Papers* Conway IV 340

[15] *Worship and Church Bells* Conway IV 251

[16] Conway, IV, 509

ing liberal and even democratic implications unknown to the author of *Leviathan* The essential reason for the difference in the political thinking of the two writers lies in their assumptions regarding human nature To Hobbes man's nature was inherently bad and warlike, to Locke it was essentially good and peace ful To be sure, men and nations have at times fought among themselves, and have shown themselves to be anything but peaceful But may not this discord spring from man's failure to act in strict accord with the laws of nature? Of the truth of this assump tion Locke had no doubt Man is a rational being, and the laws of nature should at all times be his guide As Professor Peardon has said

> the chief lesson John Locke learned from the law of nature was "
> ent
> them

But, after all, Locke was no more an advocate of a state of nature than was Hobbes and Locke insisted that if man is to secure his natural rights in the midst of civilization he must meet his neighbors on equal terms That is natural rights must be implemented by contract The primary object of this political agreement is to keep intact so far as possible the natural liberties of mankind, and men must therefore surrender only so much freedom as will make the maintenance of these liberties possible Locke s con tract concerned only free persons and did not include the rulers Unlike Hobbes who thought of the sovereign s power as being absolute Locke regarded the ruler as holding his power solely in trust This 'fiduciary power" is exercised for the good of the community " Such in brief is Locke s doctrine of natural rights with the concomitant theory of the social contract And even if Paine, as he asserted had never read a word of Locke it may readily be seen that his writings are veined with expressions of, and allusions to these political principles

One further ideology presents itself to our attention as a fac tor contributing to Paine s political thinking Since Paine s father

[14] *Ibid* p xv

ness which is by nature man s Man must therefore learn to assert and reassert his natural rights There is existing in man asserts Paine a mass of sense lying in a dormant state and which unless something excites it to action will descend with him in that condition to the grave [1] Why after all allow ourselves to pass into a somnolent state in which we fail to observe how enslaved we have become Strangely enough even in Burke s *Reflections on the Revolution in France* Paine discovered at least one redeeming virtue Some of Burke s assertions serve to demonstrate how necessary it is at all times to watch against the attempted encroachment of power and to prevent its running to excess [2]

Possibly Paine s Quaker background directed his attention to the evils of Negro slavery soon after he reached America In any case one of his first essays published in this country bore the title African Slavery in America (1775) There is little in this brief piece to suggest that Paine had personally observed the miseries of the Southern Negroes But it was addressed To Americans and was plainly intended to fulfill that purpose which was to lie in the background of so much of his writing—to keep mankind aware of the [illegible]

[illegible] to the reader his arguments for the abolition of slavery he was not unaware of the slavery *from which* America itself was then suffering Indeed he entreats the Americans to consider

> With what consistency or decency they complain so loudly of attempts to enslave *them* while they hold so many hundred thousands in slavery and annually enslave many thousands more without any pretence of authority or claim upon them? [4]

Paine of course arrived in America at a moment of grave political danger for the Colonies and he was never without an eye for the dramatic *England s* attempts to enslave America had been more than evident to all but the Tories since the Stamp Act of 1765 The growing irritation between the Colonies and the

[1] P 116 [2] P 78 [3] Conway I 9 [4] *Ibid.*, I, 7

later, he served as a teacher in a school located in Kensington But he was reappointed an excise officer in 1768 Now firmly convinced that excisemen were underpaid, Paine, at the instigation of his fellow officers, wrote his first pamphlet, which he addressed to Parliament *Case of the Officers of Excise* (1772) This pamphlet contains words prophetic of Paine's later humanitarianism

If the increase of money in the kingdom is one cause of the high price of provisions, the case of the excise officers is peculiarly pitiable No increase comes to them—they are shut out from the general blessing—they behold it like a map of *Peru* The answer of Abraham to Dives is somewhat applicable to them, "*There is a great gulf fixed*" [17]

Paine even sought personally to influence members of Parliament on behalf of the excisemen, with the result that he was dismissed in 1774 by the government as a troublemaker Further misfortune overtook Paine when later in the same year he went into bankruptcy Franklin, then in London, fortunately came to Paine s assistance, and by the close of the same year Paine was in America, ready, at the age of thirty-seven, to embark upon a new life

II

Always a refuge for the oppressed, America came at once to Paine's rescue, as, within a brief period, he was himself to come to the rescue of America Paine, as we have seen had already become thoroughly convinced of the wrongs that perpetually beset mankind It now remained only for his experiences in America to sharpen his humanitarian and democratic outlook on life As we look back upon Paine's earliest political writing done in America and follow the course which his writing took through the ensuing years, we may discern a major impulse motivating his thinking This impulse, closely allied to his humanitarianism and best stated years later in the *Rights of Man* is now worth a moment's thought A deep seated inertia, pervading both individuals and nations, is eternally threatening the liberty and happi

[17] *Ibid* IV, 500

the attending reflection that "a little more than what society naturally performed, was all the government that was necessary" Thus Paine early in *Common Sense* cast doubt upon the beneficence of complex government, and turned to society regulated by the law of nature as the source of man's contentment and happiness Indeed, Paine asks his readers to "suppose a small number of persons settled in some sequestered part of the earth unconnected with the re[illegible]

describes the virtues of an elective system of government, still operating, however, as closely as possible in accordance with nature's simple plan 'I draw my idea of the form of government' he asserts "from a principle in nature which no art can overturn, viz that the more simple anything is, the less liable it is to be disordered and the easier repaired when disordered" [8] Having placed this ideal clearly before the reader, Paine presents, by way of contrast, the evils of the constitution of England, "so exceedingly complex' he avers "that the nation may suffer for years together without being able to discover in which part the fault lies [9] And in a long section on the disadvantages of monarchy and hereditary succession, looking forward to the *Rights of Man* he gives numerous illustrations of the wrongs arising from complex government—evils that spring from a violation of the principle of natural rights

With the theory of natural rights clearly established, Paine reveals how foolish it is for America longer to maintain an allegiance to England In presenting his arguments for immediate separation he offers "nothing more than simple facts, plain arguments, and common sense" [10] "It is repugnant to reason," he avers, 'to the universal order of things, to all examples from former ages to suppose that this continent can long remain subject to any external power" [11] Sooner or later independence must come to pass Our distance from England militates against a continued union with the mother country A connection with Eng

[7] P 5 [8] P 7 [9] *Loc cit* [10] P 18 [11] P 25

mother country had reached another crisis with the Boston Massacre of 1770, and more recently the Boston Tea Party had resulted in the imposition upon America of the so called "Intolerable Acts," which included the closing of the Boston harbor and the curtailing of certain liberties provided by the Massachusetts charter These acts had been passed earlier in the same year that Paine came to America, and there was something strange and sinister in the air Rebellion and sedition lurked in every corner, and the King's proclamation of October, 1775, declaring that "all our officers, civil and military, are obliged to exert their utmost endeavours to suppress such rebellion'[5] only added to the political tension throughout the Colonies

Stirred by this mounting spirit of rebellion, Paine wrote *Common Sense* The pamphlet was published in January, 1776, with a "New Edition' containing some additions and an "Appendix" appearing the following month Seventeen years later, in looking back upon the inception of this famous pamphlet, Paine wrote

> I saw an opportunity, in which I thought I could do some good and I followed exactly what my heart dictated I neither read books nor studied other people s opinions I thought for myself The case was this
>
> During the suspension of the old governments in America, both prior to and at the breaking out of hostilities I was struck with the order and decorum with which everything was conducted, and impressed with the idea that a little more than what society naturally performed was all the government that was necessary, and that monarchy and aristocracy were frauds and impositions upon mankind
>
> *On these principles I published the pamphlet Common Sense*[6]

The principles here alluded to are obviously those summarized so eloquently by Locke and others who had preceded Paine If we may take at its face value Paine's early impression of the order and decorum" with which the American Revolution in its early stages had been conducted we may readily accept the sincerity of

[5] *New York Gazette and Weekly Mercury*, Nov 6 1775
[6] *Rights of Man* Conway II 463

the attending reflection that "a little more than what society naturally performed, was all the government that was necessary" Thus Paine early in *Common Sense* cast doubt upon the beneficence of complex government, and turned to society regulated by the law of nature as the source of man's contentment and happiness Indeed, Paine asks his readers to "suppose a small number of persons settled in some sequestered part of the earth, unconnected with the rest, they [illegible]
any country, or of the wor [illegible]
ety will be their first tho [illegible]
describes the virtues of an elective system of government, still operating, however, as closely as possible in accordance with nature's simple plan "I draw my idea of the form of government," he asserts, "from a principle in nature which no art can overturn, viz, that the more simple anything is, the less liable it is to be disordered and the easier repaired when disordered"[8] Having placed this ideal clearly before the reader, Paine presents, by way of contrast the evils of the constitution of England, "so exceedingly complex,' he avers "that the nation may suffer for years together without being able to discover in which part the fault lies"[9] And in a long section on the disadvantages of monarchy [illegible]
Men [illegible]
comple [illegible]—evils that spring from a violation of the principle of natural rights

With the theory of natural rights clearly established, Paine reveals how foolish it is for America longer to maintain an allegiance to England In presenting his arguments for immediate separation he offers "nothing more than *simple facts*, plain arguments, and common sense"[10] "It is repugnant to reason," he avers, "to the universal order of things, to all examples from former ages, to suppose that this continent can long remain subject to any external power"[11] Sooner or later independence must come to pass Our distance from England militates against a continued union with the mother country A connection with Eng-

[7] P 5 [8] P 7 [9] *Loc cit* [10] P 18 [11] P 23

land may involve us in foreign wars—may affect our trade adversely As for reconciliation, it is now no more than "a fallacious dream "[12] Some still speak kindly of the parent country, but England has always persecuted her children, and now that mother, in declaring war on her colonies, has declared "war against the natural rights of all mankind "[13] But perhaps the out standing reason for demanding separation lies in the tyranny of King George himself, that "hardened, sullen tempered Pharaoh of England " Unrelenting "wretch," "with the pretended title of Father of his People," the King "can unfeelingly hear of their slaughter, and composedly sleep with their blood upon his soul " This demand for separation on the basis of the faithlessness of the sovereign suggests one of Locke's conditions whereby a government may be dissolved—"when the legislative or the prince, *either of them, act contrary to their trust* '[14] *Foolish, indeed,* now to seek peace with England!

Much of Paine's invective against England undoubtedly should be called the rhetoric of a propagandist Yet a saner, sturdier vein of thought inspires those passages wherein he seeks to unite the Colonies in their common task of resisting England Seldom does Paine leave his readers wholly to founder in a sea of fascinating generalizations And in *Common Sense* he lays before us his blueprint for a colonial organization with a congress, president, and charter (i e constitution) Most striking indeed is his call for a ' Declaration for Independence ' This he insists must be an "open and determined" document—"a manifesto setting forth the miseries we have endured "[15]

The 'Appendix" to the "New Edition' of the pamphlet reiterates the importance of immediate independence Especially worthy of note is the significance which Paine discovers for America in the Quebec Act (one of the "Intolerable Acts" of 1774) This act, by extending the boundaries of Canada had deprived several colonies of their ' backlands"—frontier territories of inestimable value in the economic development of the country Paine at least dimly recognized in 1776 what he was to see more clearly

[12] *Loc cit* [13] P 3 [14] Peardon, p 123 [15] P 43

a few years later—the importance of the West in the building of the new nation Finally, the "Appendix" concludes with an exhortation for unity as the first step toward independence

> Let the names of Whig and Tory be extinct, and let none other be heard among us than those of a good citizen, an open and resolute friend, and a virtuous supporter of the rights of mankind and of the free and independent states of America [16]

Common Sense met with a success that probably astonished even Paine himself He had, indeed, caught up the spirit of rebellion then prevailing in the land, and had embodied that spirit in the clear, forceful language of the people Years later he referred extravagantly to the popularity of *Common Sense* as 'beyond anything since the invention of printing" We know that he relinquished all rights of authorship to the work, giving, as he said, 'copyright to every State in the union', but his statement that the demand for the pamphlet 'ran to not less than one hundred thousand copies' [17] would indeed be difficult to verify This is *not* to cast doubt on the tremendous force which *Common Sense* had in giving the Revolution, already under way, a momentum *that was to carry it to* a successful conclusion Paine's eloquent call for a 'Declaration' must have helped to focus the efforts of the Continental Congress on the drafting of the famous document But unquestionably Paine s own stress on the *popular* appeal made by *Common Sense should stand as* the paramount significance of the book It was one of several outstanding media that were to bring the Revolution close to the hearts of every American More formal evidence of the influence which *Common Sense* had on Paine s contemporaries lies in the several replies which were written to the work *Perhaps the most* important of these was a series of letters [illegible]
Gazette and w [illegible]
man Dr Will [illegible]
brilliance, soug [illegible] the danger of growing republicanism in America and the folly of attempted independence Paine, undoubtedly realizing the cogency of Smith's arguments, pub-

[16] P 52 [17] *Rights of Man* Conway, II, 463

lished in the *Pennsylvania Journal* "The Forester's Letters," four in number, in which he defended his earlier demands for independence

Paine himself was to link *Common Sense* to his next series of pamphlets "I continued the subject" of American Independence, he wrote, "under the title of the 'Crisis,' till the complete establishment of the Revolution "[18] This was the group of papers originally published as 'The American Crisis " There were thirteen of these pamphlets, together with one 'extraordinary' and two "supernumerary" issues, each signed "Common Sense " All these are marked by the outspokenness so characteristic of all Paine's writings Again not without a feeling for the dramatic, Paine spoke as one who feels himself in the midst of history in the making Seizing in his first paper upon one of the darkest moments of the Revolution, Paine penned the line that was to become so famous—the line which he took so affectionately to his own heart, years later still cherishing its memory "These are the times which try men s souls " The American army had suffered several severe defeats in the vicinity of New York and had retreated through New Jersey To many the cause of independence now seemed doomed 'Tyranny, like hell, is not easily conquered," wrote Paine in a mood of defiance, "yet we have this consolation with us that, the harder the conflict, the more glorious the triumph '[19] Paine further described graphically his own experiences in the war under General Greene, and he attacked the Tories mercilessly

And what is a Tory? Good God! what is he? I should not be afraid to go with a hundred Whigs against a thousand Tories were they to attempt to get into arms Every Tory is a coward for servile slavish, self interested fear is the foundation of Toryism, and a man under such influence, though he may be cruel, never can be brave[20]

At the conclusion of his first paper, Paine reviews the destruction and suffering that must come to America if cowardice gains mastery over the people He exclaims 'Look on this picture and

[18] *Loc cit* [19] P 55 [20] P 58

weep over it! and if there yet remains one thoughtless wretch who believes it not, let him suffer it unlamented"[21]

We may briefly note some of the crises of the war that Paine covered in the succeeding issues of his famous series of pamphlets In the papers that followed, Paine repeatedly warned the Americans against appeasement General Howe in 1776 had twice issued proclamations offering clemency to those who would submit or lay down their arms Paine realized the danger that lurked in such enticements and addressed his second *Crisis* "To Lord Howe" and the New York Tories The fourth *Crisis* was written directly after the battle of Brandywine in June of 1777 This defeat of the American army caused consternation in Philadelphia, and many felt that the city was lost There is no reason to believe that Paine failed to view the defeat realistically, but he had learned from experience how to make a bad situation appear as good if only to encourage his fellow countrymen to action "Our strength" Paine asserts "is yet reserved and it is evident that Howe does not think himself a gainer by the affair"[22] "The nearer any disease approaches to a crisis" spoke the optimist, "the nearer it is to a cure Danger and deliverance make their advances together and it is only the last push, in which one or the other takes the lead"[23]

As the war progressed, certain political factions in England became increasingly aware not only of the debt into which the war with America was leading the British, but of the uncertainty regarding the outcome of the war Alert in taking advantage of the murmuring among the English people, Paine addressed his seventh and eighth *Crisis* papers "To the People of England," reminding them among other things, of the debts the British government was daily incurring, and of the high taxes in which they would shortly be involved Here Paine anticipated at some points his attack on a monarchical form of government in the *Rights of Man* To what persons or to whose system of politics you owe your present state of wretchedness, is a matter of total indifference to America"[24]

[21] P 63 [22] Conway I 231 [23] *Ibid*, I 231 [24] *Ibid* I 198

As the war came to an end in April of 1783, Paine in a mood of romantic expansiveness penned the last regular issue of the *Crisis* papers His success as a pamphleteer had, indeed, gone to his head "The times that tried men's souls" were not over, even Paine in his momentary exultation must have realized that fact, although there was a sense in which this *was* "the greatest and completest revolution the world" had ever known [25] With some truth too he declared near the close, "It was the cause of America that made me an author" Yet with the same heady enthusiasm that pervades much of the pamphlet he could allude, without reserve, to the services he had rendered the country, and to the belief that he had "likewise added something to the reputation of literature" In the light of Paine's later diversified career the note of prophecy struck in his final paragraph—both a valedictory and prelude to the years of controversy and suffering in other lands—is moving

> But as the scenes of war are closed and every man preparing for home and happier times, I therefore take my leave of the subject I have most sincerely followed it from beginning to end and through all its turns and windings and whatever country I may hereafter be in, I shall always feel an honest pride at the part I have taken and acted and a gratitude to nature and providence for putting it in my power to be of some use to mankind [26]

In glancing at a few of the more important ideas embodied in the *Crisis* papers we have passed over one conviction that grew steadily upon Paine during the years of the Revolution the need for greater union among the states It will be recalled that the Articles of Confederation which had been presented to the Colonies for ratification in 1777 but which had not been finally adopted until 1781 granted to the central government a minimum of power needed to execute the affairs of the nation All other powers resided in the states Such a plan for governing the nation conforms in some measure to the suggestions for organizing the provinces which Paine had made in *Common Sense*, although he observes in that pamphlet that our strength is con

[25] P 64 [26] P 70

tinental not provincial '[27] In any case, both Paine's simple blue print for colonial organization and the Articles of Confederation obviously avoided political control by a strong federal govern ment, and no doubt were felt to embody, as well as might be for the moment, the natural rights of man As we know, the Articles failed to provide sufficient central control for the Colonies, and numerous political crises arose which threatened the integrity of the nation Naturally in the early eighties a movement for a stronger union began more and more to make itself felt Washing ton Hamilton and Madison became the chief proponents of a revised constitution and Paine contrary to what one might per haps expect joined in the same movement for a stronger union

Years later in the *Rights of Man* Paine was to describe the essential fault which he and other American politicians (usually called conservative) had found with the Act of Confederation

> The powers vested in the governments of the several states by the state constitutions were found upon experience, to be too great and those vested in the Federal Government by the Act of Confederation too little The defect was not in the principle, but in the distribution of power [28]

Though avowedly connected with no political party,[29] Paine as early as 1780 supported a federalist point of view as opposed to states rights In that year he published the pamphlet entitled *Public Good* which argued for the rights of the United States to the vacant western territory then claimed by Virginia Since Maryland because her frontier boundaries were limited by her charter could lay claim to no western territory she refused to ratify the Articles until Virginia had relinquished her frontier lands to the federal government In *Public Good* Paine examines in some detail the original charter and other documents on which Virginia laid her own claims and declares these claims 'unreason able [30] Furthermore since The hand of providence has cast us into one common lot and accomplished the independence of America [31] these vacant lands belong logically to the federal gov

[27] P 32 [28] P 138 [29] P 4 [30] Conway II, 58
[31] Ibid., II 33

As the war came to an end in April of 1783 Paine in a mood of romantic expansiveness penned the last regular issue of the *Crisis* papers His success as a pamphleteer had indeed gone to his head ' The times that tried men s souls were not over even Paine in his momentary exultation must have realized that fact although there was *a sense in which this was the greatest and* completest revolution the world had ever known"[25] With some truth too he declared near the close It was the cause of America *that made me an author Yet with the same heady enthusiasm* that pervades much of the pamphlet he could allude without reserve to the services he had rendered the country and to the *belief that he had* likewise added something to the reputation of literature In the light of Paine s later diversified career the note of prophecy struck in his final paragraph—both a valedictory and prelude to the years of controversy and suffering in other lands—is moving

But as the scenes of war are closed and every man preparing for home and happier times I therefore take my leave of the subject I have most sincerely followed it from beginning to end and through all its turns and windings and whatever country I may hereafter be in I shall always feel an honest pride at the part I have taken and acted and a gratitude to nature and providence for putting it in my power to be of some use to mankind[26]

In glancing at a few of the more important ideas embodied in the *Crisis* papers we have passed over one conviction that grew *steadily upon Paine during the years of the Revolution the need* for greater union among the states *It will be recalled that the* Articles of Confederation which had been presented to the Colonies *for ratification in 1777 but which had not been finally* adopted until 1781 granted to the central government a minimum of power needed to execute the affairs of the nation All *other powers resided in the states Such a plan for governing the* nation conforms in some measure to the suggestions for organizing the provinces which Paine had made in *Common Sense* although he observes in that pamphlet that *our strength is con*

25 P 64 26 P 70

of a law by Congress became contingent on the unanimous approval of the thirteen states Rhode Island refused to give her consent to the passage of a five per cent duty on imported articles which Congress had proposed With his usual fearlessness and confidence, Paine through these letters sought to bring about Rhode Island's acceptance of the measure Interesting, indeed, is the way in which he seeks to define Congress not as "a body of men" but as 'an Assembly of States" "Those States, thus assembled," he continues, "have, as the most eligible and easy mode of payment, proposed a duty of five per cent on imported goods Twelve of the States have adopted the measure, and passed laws for that purpose Rhode-Island alone is delinquent' [36] Nothing could be clearer to Paine for their own good the thirteen states must act in concert Whether Paine regarded his advocacy of a stronger central government in full agreement with the theory of natural rights, it would be impossible now to say Yet his pragmatic mind for the moment saw in "the Union of the States" the most important of all subjects" [37] Eight years of experience in American politics had revealed to Paine "that the confederation is not adapted to fit all cases which the empire of the United States in the course of her sovereignty, may experience" [38] In this group of letters Paine sheds further light on the predicament in which Rhode Island had unhappily placed the nation In doing so Paine seeks to define the citizen's relation first to his native state and then to the United States

> Every man in America stands in a two-fold order of citizenship He is a citizen of the State he lives in, and of the United States and without justly and truly supporting his citizenship in the latter he will inevitably sacrifice the former By his rank in the one he is made secure with his neighbors by the other, with the world [39]

Paine's involvement in American politics between 1775 and 1787 when he sailed for Europe, has been but partially covered

[36] *Six New Letters of Thomas Paine* ed. by Harry H. Clark (Madison Wisconsin 1939) p 10 [37] *Ibid* p 12 [38] *Ibid*, p 23
[39] *Ibid*, p 22

ernment Even more distinctly than in *Common Sense* Paine now foresees the value of these western lands in the expansion of the new country

> The United States now standing on the line of sovereignty the vacant territory is their property collectively, but the persons by whom it may hereafter be peopled will also have an equal right with ourselves and therefore as new States shall be laid off and incorporated with the present they will become partakers of the remaining territory with us who are already in possession [32]

But Paine felt that the implementation of America s future growth must lie in the hands of a stronger legislative body than that provided by the Articles of Confederation In concluding his pamphlet therefore he calls upon America to elect a Continental convention for the purpose of forming a Continental constitution defining and describing the powers and authority of Congress [33] Thus Paine was among the first to advocate the calling of a constitutional convention Virginia finally yielded the greater part of her vacant territory to the federal government and Maryland belatedly ratified the Articles of Confederation

During the early eighties Paine continued to direct his attention toward the need which he constantly saw for a stronger federal government In the last regular issue of the *Crisis* he declared that It is with confederated states as with individuals in society something must be yielded up to make the whole secure Our citizenship in the United States is our national character [34] And in A Supernumerary Crisis addressed To the People of America at the end of 1783 he closed with the assertion that it is only by acting in union that the usurpations of foreign nations on the freedom of trade can be counteracted and security extended to the commerce of America [35] Further economic implications of Paine s conviction that the strength and greatness of the nation lie in union may be studied in the six letters to Rhode Island which he contributed to the *Providence Gazette* in 1782 and 1783 Under the Articles of Confederation the passage

[32] *Ibid* II 65 [33] *Ibid* II 66 [34] Pp 68f
[35] Conway I 380

of a law by Congress became contingent on the unanimous approval of the thirteen states Rhode Island refused to give her consent to the passage of a five per cent duty on imported articles which Congress had proposed With his usual fearlessness and confidence Paine through these letters sought to bring about Rhode Island s acceptance of the measure Interesting indeed is the way in which he seeks to define Congress not as a body of men but as an Assembly of States 'Those States thus assembled he continues have as the most eligible and easy mode of payment proposed a duty of five per cent on imported goods Twelve of the States have adopted the measure and passed laws for that purpose Rhode-Island alone is delinquent [36] Nothing could be clearer to Paine for their own good the thirteen states must act in concert Whether Paine regarded his advocacy of a stronger central government in full agreement with the theory of natural rights it would be impossible now to say Yet his pragmatic mind for the moment saw in the Union of the States the most important of all subjects [37] Eight years of experience in American politics had revealed to Paine that the *confederation is not adapted to fit all cases which the empire of the United States in the course of her sovereignty may experience* [38] In this group of letters Paine sheds further light on the predicament in which Rhode Island had unhappily placed the nation *In doing so* Paine seeks to define the citizen s relation first to his native state and then to the United States

> Every man in America stands in a two fold order of citizenship He is a citizen of the State he lives in and of the United States and without justly and truly supporting his citizenship in the latter he will inevitably *sacrifice the former* By his rank in the one he is made secure with his neighbors by the other with the world [39]

Paine s involvement in American politics between 1775 and 1787 when he sailed for Europe has been but partially covered

[36] *Six New Letters of Thomas Paine* ed. by Harry H Clark (Madison Wisconsin 1939) p 10 [37] *Ibid* p 11 [38] *Ibid*., p 23
[39] *Ibid* p 21

in our survey Certain gaps may now be briefly filled in In "Thoughts on Defensive War" and in an "Epistle to Quakers (added to the "New Edition" of *Common Sense*) Paine con demned the pacifism of the Quakers, which he felt a serious im pediment to the prosecution of the war Of greater historical significance was Paine's defense, in several essays, of the Penn sylvania Constitution of 1776 Actual participation in colonial politics, however, led Paine in 1777 to be elected by Congress to the post of Secretary of the *Committee of Foreign Affairs* Tact was never a part of Paine's mental equipment, and he soon came into serious controversy with Silas Deane, American Commissioner to France, who Paine claimed, had benefited financially from his transactions with the French government Paine undoubtedly acted from ingenuous motives in desiring to save Congress the loss of money of which he believed it had been defrauded by Deane, but Paine proved overzealous in publishing information from documents which as Secretary of the Committee of Foreign Affairs he should have regarded as secret and confidential He exposed Deane in a series of letters published in the *Pennsylvania Packet* in 1778 and 1779 Paine s dismissal from his post rankled in his bosom until shortly before his death As late as 1808 he penned letters to Congress defending his part in the Deane affair, and asking for the salary which he believed was then rightfully owing him

Paine's political activities play so intimately into the economic problems of the country during the Revolution that we must not wholly ignore his part in reorganizing the financial affairs of the nation Toward the close of 1779 Paine had been elected clerk of the Pennsylvania Assembly and in the performance of his offi cial duties he read to the Assembly the letter of Washington (1780) in which the general vigorously expressed himself on the "combination of *circumstances which were rapidly exhausting* "the patience of the soldiery Washington added that we see in every line of the army the most serious features of mutiny and sedition' [40] In the ninth issue of the *Crisis* (1780) Paine in

[40] *Basic Writings of George Washington* ed by Saxe Commins (N Y 1948) p 391

bringing before his fellow countrymen the conditions so vividly described by Washington, noted that "an association has been entered into by the merchants, tradesmen, and principal inhabitants" of Philadelphia, "to receive and support the new state money at the value of gold and silver" [41] Paine, who had himself contributed the sum of five hundred dollars, became instrumental along with his erstwhile political opponent, Robert Morris, in founding the Bank of North America with the expressed purpose of financing the Revolution After the war, in 1786, those who advocated paper money as opposed to specie sought the repeal of the Bank's charter, and in that year Paine came to the defense of the Bank in a pamphlet—his last before leaving America—entitled *Dissertations on Government, the Affairs of the Bank, and Paper Money* Paine's position in regard to paper money had not changed since the formation of the Bank Paper money "is at best a bubble Considered as property, it is inconsistent to suppose that the breath of an assembly, whose authority expires with the year, can give to paper the value and duration of gold" [42] Paine had clearly aligned himself with men of wealth Public opinion broke sharply regarding his economic stand—some insisting that he had forsaken the cause of the common man This is a question too complex for our present discussion Suffice it to say that again as in his espousal of a strong central government, Paine here sought to meet the financial exigencies of the moment He clearly recognized as did Hamilton that only by maintaining a gold or silver standard could the new nation as a whole grow and prosper If this be desertion of the cause of the common people Paine's opponents then or now may make the most of their case

III

With the close of the Revolution Paine believed his work in America mainly done And in the valedictory with which the final issue of the *Crisis* closed, it will be recalled that he alluded to whatever country I may hereafter be in" As Henry D Thoreau

[41] Conway I 305 [42] *Ibid.*, II, 181

regarded his experience at Walden as but a single experiment in living, which left him "several more lives to live," so Paine appears now to have looked to other lands for fresh experiences in the cause of liberty—an expectation in which he was not disappointed. An examination of his first sojourn in America reveals the ever widening scope of the man's preoccupation with humanity. The *Letter to the Abbé Raynal*, a pamphlet published a year before the close of the Revolution, suggests something of the world of brotherhood and cooperation that Paine had already begun to envisage. Ostensibly an attempt to correct numerous errors in the Abbé's account of the Revolution as set forth in his *Révolution d'Amérique*, Paine looked forward to a world harmoniously knit by commerce and science. "The wants of the individual," he asserts, "which first produced the idea of society, are now augmented into the wants of the nation, and he is obliged to seek from another country what before he sought from the next person." And "Science, the partisan of no country, but the beneficent patroness of all, has liberally opened a temple where all may meet."[1]

With his newly acquired leisure after the Revolution, Paine turned to several inventions, the most important of which was an iron bridge without piers. A model of the bridge safely stowed away in his trunk, Paine, in April, 1787, sailed for France. The bridge, it is true, attracted some attention abroad, but more significant for our study is the fact that Paine found himself almost at once involved in the politics of France and England. After the outbreak of the French Revolution, Edmund Burke published in 1790 *Reflections on the Revolution in France*. Paine had earlier been on terms of friendship with Burke, but Burke's attack upon the French Revolution with his defense of the British monarchy aroused Paine's indignation, and called forth his *Rights of Man*, published in two parts, 1791-1792. This brilliant refutation of Burke probably concentrates in one work more of Paine's political and social thinking than may be found in any other single publication of the author. The *Rights of Man* is mainly concerned with the politics of England and France. Yet today one reads

[1] Conway, II, 103

the book with the keen realization that it could not have been written if Paine had not had back of him twelve years of political experience in America, during which he had followed with intense interest every crisis of the Revolution, as well as many political and economic crises that had occurred thereafter Paine had, in deed been in the midst of democracy in the making As one of the "people of America' he felt privileged to speak with authority to England, still in the chains of monarchy To Paine "America was the only spot in the political world where the principles of universal reformation could begin"[2] America was the great mother of democracy that had given birth to Washington In fact, the first part of the *Rights of Man* was dedicated to the 'President of the United States of America "I present you a small treatise in defense of those principles of freedom which your exemplary virtue has so eminently contributed to establish" At least for Paine the American Revolution had cleared the air of tradition and conformity and had laid the groundwork for the political reformation of the world

Despite annoying repetitions and even occasional bits of bad grammar the *Rights of Man* is a skillful attack on Burke, in which the author not only employs uncompromising logic but introduces humor and even enlivens his argument with at least one bit of scandal Burke's *Reflections* Paine regards as a tissue of romantic nonsense He laughs at Burke's assertions that "The age of chivalry is gone—'the glory of Europe is extinguished forever! [3] Paine further observes "When Mr Burke, in a speech last winter in the British parliament, 'cast his eyes over the map of Europe and saw a chasm that once was France' he talked like a dreamer of dreams [4] Paine believes that Burke knows nothing of the real principles motivating the French Revolution he is impassive even before the evils of the Bastille The [illegible] human [illegible]

In [illegible]

of w[illegible] are that there are no Quixotes to attack them [5] Thus Paine matches rhetoric with rhetoric in his

[2] P 112 [3] Conway II 287 [4] Ibid., II, 379
[5] Ibid II 287

reply to Burke Nor is Paine lacking in humor while disposing of Burke s romantic rhapsodies

> The farce of monarchy and aristocracy, in all countries is following that of chivalry, and Mr Burke is dressing for the funeral Let it then pass quietly to the tomb of all other follies, and the mourners be comforted [6]

But Burke s defense of the English system of monarchy rests upon an argument which may in part have been suggested to him by his early training as a lawyer With the English revolution of 1688, Parliament made a declaration to William and Mary that " 'The Lords Spiritual and Temporal, and Commons, do, in the name of the people aforesaid' (meaning the people of England then living) 'most humbly and faithfully *submit* themselves, their *heirs* and *posterities, forever*' " [7] Thus, argues Burke, the English people had made what was virtually a legal contract binding to their sovereigns not only themselves but their heirs *forever* Here was a contract that could never be broken Years after Paine had written the *Rights of Man,* he expressed the belief that he was the first to attack and expose ' hereditary succession on the ground of illegality which is the strongest of all grounds to attack it upon, for if the right to set it up [does] not exist and that it does not is certain, because it is establishing a form of government *not for themselves*, but for a future race of people, all discussion upon the subject ends at once [8] The illegality of Burke s position lay for Paine in the British statesman s declaration that one generation could make a contract with their sovereign that would be binding upon posterity In reality Paine in the *Rights of Man* sought to reveal not only the illegality but the foolishness of attempting to make the law of contract essentially designed to protect property, into a principle of government Paine summarizes his contention in words now justly famous

> Every age and generation must be as free to act for itself *in all cases,* as the ages and generations which preceded it The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies

[6] *Ibid* II 508 [7] P 75 [8] 1839 ed II 498

Man has no property in man, neither has any generation a roperty in the generations which are to follow

Every generation is and must be competent to all the purposes which its occasions require It is the living and not the dead that are to be accommodated[9]

Paine, of course, believed that all systems of monarchy and aristocracy rest on an unsound and insecure basis, in short they violate the law of nature The rights of man are natural rights But we must move cautiously at this point in ascribing directly to Locke s treatises on government the principles on which Paine's rights of man rest Locke s treatises, one should recall, were written in large part to defend the Revolution of 1688—"to establish the throne of our great restorer, our present King William—to make good his title in the consent of the people "[10] If we recall that Paine s avowed purpose in the *Rights of Man* was to prove the illegality of the Revolution we may perhaps have discovered one of the reasons for his denial of ever having read Locke Another deviation from Locke lies in the relative importance attributed by each to a sovereign or reigning power Locke clearly provides for such a power—fiduciary though it be Paine in the *Rights of Man* reduces the significance and importance of a nation s executive to a minimum Thus Paine perhaps follows more closely Rousseau s *Contrat Social*, in which sovereignty rests essentially in the people, and the people themselves are bound together by the principle of fraternity Yet one is scarcely convinced either that Paine had studied Rousseau's book profoundly

But whether it was Rousseau Locke, or Paine, the underpinning of the political thought of each was the doctrine of natural rights In Paine s earlier works on government a belief in this theory is sometimes implied sometimes briefly expressed, but nowhere in these writings is the theory fully defined In the *Rights of Man* he elaborates on the doctrine as the background for his condemnation of monarchy and in view of this more extended discussion one must assume that Paine had done much thinking and probably some reading on the subject since he wrote *Common Sense* Now Paine points out that so far as we may care

[9] Pp 761 [10] Preface, p x.

reply to Burke Nor is Paine lacking in humor while disposing of Burke s romantic rhapsodies

> The farce of monarchy and aristocracy, in all countries is following that of chivalry, and Mr Burke is dressing for the funeral Let it then pass quietly to the tomb of all other follies and the mourners be comforted [6]

But Burke s defense of the English system of monarchy rests upon an argument which may in part have been suggested to him by his early training as a lawyer With the English revolution of 1688, Parliament made a declaration to William and Mary that " 'The Lords Spiritual and Temporal and Commons, do in the name of the people aforesaid (meaning the people of England then living) 'most humbly and faithfully *submit* themselves, their *heirs* and *posterities, forever* ' ' [7] Thus, argues Burke the English people had made what was virtually a legal contract binding to their sovereigns not only themselves but their heirs *forever* Here was a contract that could never be broken Years after Paine had written the *Rights of Man*, he expressed the belief that he was the first to attack and expose ' hereditary succession on the ground of illegality which is the strongest of all grounds to attack it upon for if the right to set it up [does] not exist and that it does not is certain because it is establishing a form of government *not for themselves*, but for a future race of people all discussion upon the subject ends at once [8] The illegality of Burke s position lay for Paine in the British statesman s declaration that one generation could make a contract with their sovereign that would be binding upon posterity In reality Paine in the *Rights of Man* sought to reveal not only the illegality but the foolishness of attempting to make the law of contract essentially designed to protect property into a principle of government Paine summarizes his contention in words now justly famous

> Every age and generation must be as free to act for itself *in* [illegible] which preceded it The van[illegible] nd the grave is the most

[6] *Ibid* II 508 [7] P 75 [8] 1839 ed II 495

self to make these active or effective So he joins with his fellows to make everyday living possible Every civil right, according to Paine, grows out of a natural right By nature a man has the right to protect himself and to make possible his own security, but if left to himself he may find he cannot obtain what is naturally or rightfully his own So there arises the social contract or compact, which, by means of concerted effort, is intended to make living possible Yet Paine believed that at no time must the social compact invade the natural rights of the individual For "All the great laws of society are laws of nature "[18]

To Paine no nation need be denied the happiness that springs from a 'national association" "The instant formal government is abolished," he asserts, 'society begins to act A general association takes place, and common interest produces common security"[19] England was plainly denying itself the felicities inherent in representative government, and Burke had argued so brilliantly for the glories of the monarchy Ever since Paine's clash with government officials in his early days as an exciseman, he had come to dislike England—a dislike that increased as American resistance to England developed into rebellion and rebellion developed into war Now as he viewed what he felt to be Burke's wretched attempts to defend the very monarchy that Paine had done so much to resist while in America, his dislike of the 'mother country turned to Anglophobia The nonsense of the English people in bringing William of Orange from Holland in 1688 or George I from Hanover in 1714 to assume the throne of England! As foreigners neither monarch could understand the English mind or could possibly administer justice " what is called monarchy," says Paine "always appears to me a silly, contemptible thing'[20] And the hereditary side of monarchy appeared to Paine offensively contemptible when a child or a man, feeble in body and mind, ascended the throne Furthermore, the House of Commons, he felt, did not represent the people of England, and he refused even to acknowledge that England possessed a real constitution There was the English government with its innumerable laws, there were documents, such as the Magna Charta,

[18] P 118 [19] P 117 [20] P 132

to go into the past, there has always been oppression, and the only way in which we can think of man as unoppressed by his fellows is to go back in thought to the creation of the world. Thus we arrive "at the origin of man"—man as he came "from the hand of his Maker".[11] So Paine insists that "all men are born equal, and with equal natural rights",[12] and that "whatever appertains to the nature of man cannot be annihilated by man".[13] Nothing can, indeed, destroy "the natural dignity of man".[14] "The artificial noble shrinks into a dwarf before the noble of nature".[15]

In seeking to embody the theory of natural rights in the form of social contract set forth in the *Rights of Man*, Paine drew deeply on his own political experiences in America.

> One of the great advantages of the American Revolution has been that it led to a discovery of the principles and laid open the imposition of governments. All the revolutions till then had been *worked within the atmosphere of a court, and never on the great floor of a nation*. The parties were always of the class of courtiers and whatever was their rage for reformation, they carefully preserved that fraud of the profession.
>
> In all cases they took care to represent government as a thing made up of mysteries, which only themselves understood, and *they hid from the understanding of the nation the only thing that* was beneficial to know, namely, ***that government is nothing more than a national association acting on the principles of society***.[16]

To understand what Paine here calls "a national association," we should examine the distinction which he makes between 'natural rights' and "civil rights". "Natural rights,' he affirms 'are those which appertain to man in right of his existence. Of this kind are all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness which are not injurious to the natural rights of others. Civil rights,' he continues, "are those which appertain to man in right of his being a member of society".[17] A man unquestionably possesses certain natural rights, but he is often powerless by him

[11] P. 81 [12] P. 82 [13] P. 79 [14] P. 86 [15] P. 91
[16] P. 120 [17] P. 84

ment[24] Here is a declaration—a constitution in miniature—made by the representatives of the people England, as Paine repeatedly avers, has nothing comparable to this great republican document which had its origin in the people, and which was designed solely to benefit the people as a whole In this Declaration the Assembly acknowledges the "sacred rights of men and citizens," and asserts that "Men are born and always continue free and equal in respect to rights", that "The end of all political associations is the preservation of the natural and imprescriptible rights of man"

In the first part of the *Rights of Man* American independence, though clearly in the background of Paine's thinking, seldom enters directly into the author's arguments The second part of *the* book, however, in which Paine is less concerned with a refutation of Burke, though no less committed to a demolition of the principles of the British monarchy, uses America chiefly as his great example of primal democratic sanity Nature in all her magnitude has made America the great nursing ground of democracy, and America has demonstrated "to the artificial world that man must go back to nature for information"[25] Thus Paine is associating America with that 'original simple democracy"[26]—that voluntary association of men which he feels to be the essence of all true government. But owing to the vastness of America, even this simple democracy must remain inactive without that other great principle—representation "By ingrafting representation upon democracy, we *arrive at a system* of government capable of embracing and confederating all *the various* interests and every extent of territory and population '[27] Paine here clearly recognizes the close kinship of "The Declaration of the Rights" and The Declaration of Independence' As Paine elsewhere asserts, The Declaration of Rights of France and America are but one and the same thing in *principles* and almost in *expressions*'[28] In the second part of the *Rights of Man* he reviews in detail the method of framing the Constitution of Pennsylvania the Articles of Confederation, and the Federal Constitution, and he points out the significance of these documents *in* the making of a rep-

[24] See pp 96 ff [25] P 113 [26] P 130 [27] P 130
[28] "To the Abbé Sieyès," Conway, III 9

which assert the liberties of specified groups But nowhere, as in the case of America or France, was there a constitution drawn up by the representatives of the people—a document embodying the liberties of the people as a whole Finally the cost of maintaining a monarchy militates against humanitarianism and the administration of justice

It is inhuman to talk of a million sterling a year, paid out of the public taxes of any country for the support of any individual whilst thousands, who are forced to contribute thereto are pining with want, and struggling with misery [21]

But why need the mass of mankind suffer at the expense of the privileged few? Consider says Paine the example of the French Revolution and the overwhelming benefits it has brought to France Paine insists that Burke in his horror of the French Revolution has either suppressed or distorted the facts of that great uprising of the people In his account of the Revolution derived partly from his own experiences and partly from what had been related to him by Lafayette and others Paine is bent upon revealing the truth as he sees it with regard to the early stages of the Revolution Thus Paine traces the growth of the French Revolution which like the American Revolution he regards as no more than a renovation of the natural order of things [22] He notes the dignity of the National Assembly as well as the relative restraint with which the Revolution had been effected As opposed to the musty records and mouldy parchments on which rested the archaic arguments of Burke Paine offers the *living* words which Lafayette employed in proposing a declaration of rights to the National Assembly

Call to mind the sentiments which nature has engraved in the heart of every citizen and which take a new force when they are solemnly recognized by all For a nation to love liberty it is sufficient that she knows it and to be free it is sufficient that she wills it [23]

The Declaration of the Rights of Man and of Citizens which Lafayette here proposed Paine prints entire with copious com

[21] Conway II 448 [22] P 109 [23] Conway II 282

ment[24] Here is a declaration—a constitution in miniature—made by the representatives of the people England, as Paine repeatedly avers, has nothing comparable to this great republican document which had its origin in the people, and which was designed solely to benefit the people as a whole In this Declaration the Assembly acknowledges the 'sacred rights of men and citizens," and asserts that 'Men are born and always continue free and equal in respect to rights', that "The end of all political associations is the preservation of the natural and imprescriptible rights of man"

In the first part of the *Rights of Man* American independence, though clearly in the background of Paine's thinking, seldom enters directly into the author's arguments The second part of the book, however, in which Paine is less concerned with a refuta tion of Burke, though no less committed to a demolition of the principles of the British monarchy, uses America chiefly as his great example of primal democratic sanity Nature in all her mag nitude has made America the great nursing ground of democracy, and America has demonstrated to the artificial world that man *must* go back to nature for information"[25] Thus Paine is associating America with that original simple democracy[26]—that voluntary association of men which he feels to be the essence of all true government But owing to the vastness of America, even this simple democracy must remain inactive without that other great principle—representation By ingrafting representation upon democracy we arrive at a system of government capable of embracing and confederating all the various interests and every extent of territory and population[27] Paine here clearly recog nizes the close kinship of The Declaration of the Rights" and The Declaration of Independence As Paine elsewhere asserts, The Declaration of Rights of France and America are but one and the same thing in principles and almost in expressions[28] In the second part of the *Rights of Man* he reviews in detail the method of

of Conf

out the e of these documents in the making of a rep-

[24] See pp 6 8 [25] P 113 [26] P 130 [27] P 130
[28] "To the Abbé Sieyès" Conway, III

resentative government Paine especially notes that in these constitutions "there is no such thing as the idea of a compact between the people *on one side and the government on the other* The compact was that of the people with each other, to produce and constitute a government "[29] President Washington was virtually the unanimous choice of the people "He accepted no pay as Commander in Chief, he accepts none as President of the United States " He *is a "gentleman sufficient to put all those men* called kings to shame "[30] How different from having as king a stadholder from Holland or a German elector! Thus, in reviewing the establishment of a representative democracy, Paine drew heavily upon personal observations and experiences

The *Rights of Man*, not always clearly or logically organized is in reality a great repository of materials concerned, as we have seen not simply with destruction of monarchy, but with bringing justice and happiness to men through representative government In this brief analysis of Paine s work two remaining points only can be touched on In the second part, he devotes several pages to a discussion of a possible alliance between England, France and America developing more fully the broader understanding among nations at which he had hinted in his *Letter to the Abbé Raynal* More significant is the humanitarian and pragmatic turn which Paine s thinking takes near the close of the work In both parts of the *Rights of Man* Paine has indicated how in countless ways the English people have been misruled—how the rich and *privileged have been maintaining themselves chiefly at the expense* of the poor Now Paine asks How can this injustice be abolished? And his answer is Only by liquidating the monarchy and reorganizing the financial resources of England With those monies which have been devoted so religiously to maintaining an aristocratic form of government material aid may be given to the poor and underprivileged Public money, he writes in the mood of humanitarianism with which the book ends ought to be touched *with the most scrupulous consciousness of honor It is not the* produce of riches only but of the hard earnings of labor and poverty It is drawn even from the bitterness of want and misery

[29] P 138 [30] P 140

Not a beggar passes, or perishes in the streets, whose mite is not in that mass "[31] Paine finally makes specific proposals to help financially the poor and to make their living easier and happier A few of these proposals—two strikingly contemporary for Americans—may be noted

> Annuity of ten pounds each for life for all poor persons decayed tradesmen and others (supposed seventy thousand) of the age of sixty years
> Donation of twenty shillings each for fifty thousand births
> Donation of twenty shillings each for twenty thousand marriages
> Employment at all times for the casual poor in the cities of London and Westminster[32]

Both parts of the *Rights of Man* obtained a wide circulation, finding special popularity among those societies organized for the promotion of English liberties[33] Yet mobs, presumably inspired by the government burned Tom Paine in effigy and indulged in other demonstrations against him Finally in June of 1792 Paine was formally charged by the government with sedition, and a date was set for his trial Tradition says that the English poet William Blake warned Paine in September of his impending arrest In any case Paine immediately escaped to France During the summer, however he had penned a slashing denunciation of his prosecutors This pamphlet a *Letter Addressed to the Addressers on the Late Proclamation* was Paine s last stand against the English monarchy written under what was probably momentary danger of arrest If the *Rights of Man* had contained the seeds of sedition the "Address was sedition itself Here Paine takes a final thrust at Mr Burke s incoherent rhapsodies and distorted facts [34] and makes a plea for the freedom of the press

> If the press be free only to flatter Government, as Mr Burke has done and to cry up and extol what certain Court sycophants are pleased to call a glorious Constitution and not free to examine into its errors or abuses, or whether a Constitu

[31] Conway II 451 452 [32] *Ibid.*, II, 5 2
[33] See *Rights of Man* note 2 p 180 [34] Conway III 46

resentative government Paine especially notes that in these constitutions "there is no such thing as the idea of a compact between the people *on one side and the government on the other* The compact was that of the people with each other, to produce and constitute a government"[29] President Washington was virtually the unanimous *choice of the people* "*He accepted no pay* as Commander in Chief, he accepts none as President of the United States" He is a "gentleman sufficient to put all those men called kings to shame"[30] How *different from* having as king a stadholder from Holland or a German elector! Thus, in reviewing the establishment of a representative democracy, Paine drew heavily upon personal observations and experiences

The *Rights of Man*, not always clearly or logically organized is in reality a great repository of materials concerned, as we have seen, not simply with destruction of monarchy, but with bringing justice and happiness to men through representative government In this brief analysis of Paine's work two remaining points only can be touched on In the second part he devotes several pages to a discussion of a possible alliance between England, France, and America, developing more fully the broader understanding among nations at which he had hinted in his *Letter to the Abbé Raynal* More significant is the humanitarian and pragmatic turn which Paine's thinking takes near the close of the work In both parts of the *Rights of Man* Paine has indicated how in countless ways the English people have been misruled—how the rich and privileged have been maintaining themselves chiefly at the expense of the poor Now Paine asks How can this injustice be abolished? *And his answer is, Only by liquidating the monarchy and reor*ganizing the financial resources of England With those monies which have been devoted so religiously to maintaining an aristocratic form of government, material aid may be given to the poor and underprivileged "Public money" he writes in the mood of humanitarianism with which the book ends ought to be touched with the most scrupulous consciousness of honor It is not the produce of riches only, but of the hard earnings of labor and poverty It is drawn even from the bitterness of want and misery

[29] P 138 [30] P 140

Not a beggar passes, or perishes in the streets, whose mite is not in that mass"[31] Paine finally makes specific proposals to help financially the poor and to make their living easier and happier A few of these proposals—two strikingly contemporary for Americans—may be noted

> Annuity of ten pounds each for life for all poor persons, decayed tradesmen, and others (supposed seventy thousand) of the age of sixty years
> Donation of twenty shillings each for fifty thousand births
> Donation of twenty shillings each for twenty thousand marriages
> Employment at all times for the casual poor in the cities of London and Westminster[32]

Both parts of the *Rights of Man* obtained a wide circulation, finding special popularity among those societies organized for the promotion of English liberties[33] Yet mobs, presumably inspired by the government burned Tom Paine in effigy and indulged in other demonstrations against him Finally in June of 1792 Paine was formally charged by the government with sedition, and a date was set for his trial Tradition says that the English poet William Blake warned Paine in September of his impending arrest In any case Paine immediately escaped to France During the summer, however he had penned a slashing denunciation of his prosecutors This pamphlet a *Letter Addressed to the Addressers on the Late Proclamation* was Paine's last stand against the English monarchy written under what was probably momentary danger of arrest If the *Rights of Man* had contained the seeds of sedition the "Address" was sedition itself Here Paine takes a final thrust at Mr Burke's incoherent rhapsodies, and distorted facts"[34] and makes a plea for the freedom of the press

> If the press be free only to flatter Government, as Mr Burke has done and to cry up and extol what certain Court sycophants are pleased to call a 'glorious Constitution,' and not free to examine into its errors or abuses, or whether a Constitu

[31] Conway II 431 432 [32] *Ibid* II 5?3
[33] See *Rights of Man* note 2 p 180 [34] Conway III 86

tion really exist or not, such freedom is no other than that of Spain Turkey, or Russia [35]

But perhaps the most important item in the 'Address is Paine's suggestion that "a national convention be called which would bring together the sense and opinions of every part of the nation fairly taken" [36] The English government could take no more

In bringing to a close Paine's attacks on the English monarchy it may be wise to observe that he sometimes failed fully to foresee the power which tradition has over the minds of men—a failure which he shared with the natural rights theorists in general He too often felt that if only men could be brought to a knowledge of right political principles they would at once throw off oppressive forms of government Unlike many an eighteenth century perfectionist who was waiting patiently for the millennium Paine desired and often expected immediate results In dedicating the second part of the *Rights of Man* to Lafayette Paine observed that he and his friend differed in but one point which did not concern the 'principles of government but time That which you suppose accomplishable in fourteen or fifteen years Paine triumphantly declares I may believe practicable in a much shorter period [37] This was plainly written before the Reign of Terror in France—before the rise to power of Napoleon Bonaparte Indeed Paine's optimism in the *Rights of Man* led him at moments to believe that most of the monarchies of Europe were on the very point of falling With an inconsistency after all so typical of the thinking of his age this man whose political theory could exhibit such marked pragmatic values could also assert I do not believe that monarchy and aristocracy will continue seven years longer in any of the enlightened countries in Europe [38] But then again this sentence was penned before the Reign of Terror!

IV

The years between Paine's going to France in 1787 and his confinement in the Luxembourg prison in 1793 must have been

[35] *Ibid* III 68 [36] *Ibid*, III 91 [37] *Ibid*, II 392
[38] *Ibid* II 398

an interlude punctuated by moments of enthusiasm and even happiness. During this period he made several trips between France and England. In France he had ample opportunity to talk with Jefferson, minister to that country until 1789. Soon Paine was eyewitness of the early events of the French Revolution. He was on terms of familiarity with Lafayette, who gave Paine the key to the Bastille to present to Washington. It is said that he even helped to draft the "Declaration of Rights." And so Paine, who loved always to be in the midst of history in the making, played his inconspicuous part in the French Revolution. After King Louis attempted flight in June, 1791, he wrote "A Republican Manifesto," probably issued as a broadside, denouncing the King's "abdication" and arousing the people to continued rebellion. Looking forward to the conclusion of the second part of the *Rights of Man*, to be published the following year, Paine presents his familiar argument for the abolition of monarchy when he speaks of "The thirty millions [of francs] which it costs to support a King in the éclat of stupid brutal luxury . . . ."[1] Tradition has it that Paine and Duchatelet placarded the buildings of Paris with the "Manifesto" and even nailed a copy to the door of the building where the Assembly convened.

The second phase of his participation in the Revolution, beginning in 1792, after he had escaped from England, was fraught with grave consequences for Paine. Earlier in the same year the Assembly had bestowed upon him the title of citizen and he was later elected a representative to the Convention. In an "Address," now in his collected works, Paine accepted with gratitude these honors and reminded his "fellow citizens" that it had been his fate to bear a part "in the commencement and complete establishment of one revolution (I mean the Revolution of America)."[2] But Paine soon found himself enmeshed in French politics which, owing partly to his slender knowledge of the language, but perhaps even more to his ignorance of the French mind, he failed fully to understand. He was mainly allied to the Girondists, who some of Paine's biographers believe used him as a political tool. Among other conservative measures he advocated sparing the life

[1] Conway III 3 [2] *Ibid.*, III 98

of the King With the coming into power of Robespierre and the Jacobins, Paine shortly found himself in disfavor He now attended less frequently the meetings of the Convention, and by the end of 1793 he was imprisoned Gouverneur Morris, the American minister, who was one of Paine s bitter enemies, seems to have taken no measures to effect his release, though giving the impression to the American government that he had done all in his power In any case, Paine remained in prison for a period of ten months, suffering, during much of that time, from serious ill ness Finally James Monroe, the new ambassador, after much dip lomatic maneuvering secured his release

For eighteen months Paine remained at Monroe's home endeav oring to regain his health In 1795 he tried once again to occupy his seat in the French National Convention, which was then con sidering the adoption of a constitution Among other things, *Paine disapproved of certain property restrictions which it was* proposed to place on suffrage In preparation for a speech he intended to be delivered for him at the Convention he wrote and apparently had distributed among the members a pamphlet entitled *Dissertation on First Principles of Government*, which was published in Paris in 1795 This work, which is reprinted entire in the present volume brings together in brief compass much of the essential political thinking of Paine In part a digest of some of his major ideas on government set forth in the *Rights of Man* Paine stresses what he calls 'the principle of equal rights,' [3] insisting that 'The right of voting for representatives is the primary right by which other rights are protected [4] With the Convention thus prepared in July 1795 he stood before the body while a secretary read his speech in French Paine here pointed out that the proposed limitations on suffrage violated the "Declaration of Rights No one is said to have spoken in support of Paine s plea, nor was his suggestion heeded in the final adop tion of the Constitution He did not again appear before the Con vention

These days spent in Monroe s home must have been sad for Paine Distressed by bodily disease he was manifestly disap-

[3] P 170 [4] P 165

pointed by the inadequate functioning of republicanism in France But all was far from right in America too Disappointment turned to disillusion and bitterness as he contemplated his imprisonment in the Luxembourg not as the act of a few political fanatics in France but owing mainly to the meanness and defection of one man in America—George Washington—to whose rescue he had come in the ninth *Crisis* and on whom he had lavished so much extravagant praise in print The "Letter to George Washington" (1796) is a difficult document for an American to read with complete objectivity Yet if we may for the moment look squarely at the facts it is impossible not to see that, in failing to investigate personally Paine s imprisonment Washington had been negligent in performing his duties as President of the United States The fact that Gouverneur Morris the minister to France, had given Washington the impression that all possible influence had been exerted to effect Paine s release does not excuse Washington since he was fully aware of the enmity between Morris and Paine But the letter though penned in a mood of bitterness sharply accentuated by ill health was plainly the product of indiscretion and tactlessness By the time this letter was penned America had broken politically into two sharply opposed parties—the Federalists and the Republicans (or Anti Federalists) Paine now found it necessary to align himself with the latter group yet as he observes early in the letter although he was opposed to certain things in the Federal Constitution he was among the first as we have seen to advocate the consolidating of the States into a Federal *Government* [5] Hence there was a real sense in which the term Anti Federalist could not justly be applied to him and he and Washington (whatever the latter might think) did not necessarily stand at opposite political poles The part I acted in the American Revolution Paine asserts is well known [6] and as we have amply shown Paine was right in his assertion that he had had America constantly in mind in all the political writing which he did abroad [7] He had never denied America and the Washington of politics [8] was responsible for Paine s undoing

[5] Conway III 214. [6] *Ibid.*, III 217 [7] *Ibid.*, III 216
[8] *Ibid* III 213

of the King With the coming into power of Robespierre and the Jacobins, Paine shortly found himself in disfavor He now attended less frequently the meetings of the Convention, and by the end of 1793 he was imprisoned Gouverneur Morris, the American minister, who was one of Paine's bitter enemies, seems to have taken no measures to effect his release, though giving the impression to the American government that he had done all in his power In any case, Paine remained in prison for a period of ten months, suffering, during much of that time, from serious illness Finally James Monroe, the new ambassador, after much diplomatic maneuvering, secured his release

For eighteen months Paine remained at Monroe's home endeavoring to regain his health In 1795 he tried once again to occupy his seat in the French National Convention, which was then considering the adoption of a constitution Among other things, Paine disapproved of certain property restrictions which it was proposed to place on suffrage In preparation for a speech he intended to be delivered for him at the Convention, he wrote and apparently had distributed among the members a pamphlet entitled *Dissertation on First Principles of Government*, which was published in Paris in 1795 This work, which is reprinted entire in the present volume, brings together in brief compass much of the essential political thinking of Paine In part a digest of some of his major ideas on government set forth in the *Rights of Man* Paine stresses what he calls 'the principle of equal rights,' [3] insisting that "The right of voting for representatives is the primary right by which other rights are protected' [4] With the Convention thus prepared, in July, 1795 he stood before the body while a secretary read his speech in French Paine here pointed out that the proposed limitations on suffrage violated the "Declaration of Rights No one is said to have spoken in support of Paine's plea, nor was his suggestion heeded in the final adoption of the Constitution He did not again appear before the Convention

These days spent in Monroe's home must have been sad for Paine Distressed by bodily disease he was manifestly disap-

[3] P 170 [4] P 165

pointed by the inadequate functioning of republicanism in France But all was far from right in America too Disappointment turned to disillusion and bitterness as he contemplated his imprisonment in the Luxembourg, not as the act of a few political fanatics in France, but owing mainly to the meanness and defection of one man in America—George Washington—to whose rescue he had come in the ninth *Crisis* and on whom he had lavished so much extravagant praise in print The "Letter to George Washington" (1796) is a difficult document for an American to read with complete objectivity Yet if we may for the moment look squarely at the facts [illegible]

that Gouverneur Morris the minister to France, had given Washington the impression that all possible influence had been exerted to effect Paine s release does not excuse Washington, since he was fully aware of the enmity between Morris and Paine But the *letter* though penned in a mood of bitterness sharply accentuated *by ill health* was plainly the product of indiscretion and tactlessness By the time this letter was penned America had broken politically into two sharply opposed parties—the Federalists and the Republicans (or Anti Federalists) Paine now found it necessary to align himself with the latter group yet as he observes *early in the letter* although he was opposed to certain *things in the Federal* Constitution he was among the first as we have seen to advocate the consolidating of *the States into a Federal Government* [5] Hence there was a real sense in which the term Anti Federalist could not justly be applied to him and he and Washington (whatever the latter might think) did not necessarily stand at opposite political poles The *part I acted* in the American Revolution Paine asserts "is well *known*" [6] and as we have amply shown Paine was right in his assertion that he had had America constantly in mind *in all the* political writing which he did abroad [7] *He had* never denied America, and the "Washington of politics" [8] was *responsible for* Paine s undoing

[5] Conway III, 214 [6] Ibid III 213 [7] *Ibid.*, III 217 [8] *Ibid.*, III 216

Paine's denunciations in the letter presently became more personal "Elevated to the chair of the Presidency, you assumed the merit of everything to yourself, and the natural ingratitude of your constitution began to appear "[9] Surely "it was the duty of the Executive Department in America, to have made (at least) some inquiries about me, as soon as it heard of my imprisonment "[10]

After a lengthy attack on the Jay Treaty,[11] Paine concluded his letter with a burst of rhetorical passion for which many an American will find it difficult to forgive the author of *Common Sense*

And as to you Sir, treacherous in private friendship (for so you have been to me and that in the day of danger) and a hypocrite in public life the world will be puzzled to decide whether you are an apostate or an impostor whether you have abandoned good principles or whether you ever had any [12]

We now move with some relief to a saner work—indeed the last important pamphlet done by Paine abroad—*Agrarian Justice* (1797) Here he returns to the humanitarian vein which he had developed so effectively near the close of the *Rights of Man*—a plan for alleviating the condition of the poor of England The title of the work is at first misleading since nowhere does Paine advocate an agrarian economy The concept of agrarianism enters the work only in Paine s recognition that man in his original state had been close to the soil and had been dependent on the land for his existence It is a position not to be controverted he notes, "that the earth in its natural uncultivated state was and ever would have continued to be *the common property of the human race* In that state every man would have been born to property "[13] But the land for centuries has been slowly coming into the hands of the few who now possess estates that threaten

[9] *Ibid.*, III 217 [10] *Ibid* III 220

[11] The first treaty with England after the peace treaty of 1783 negotiated in 1795 by John Jay This treaty marked the beginning of regular diplomatic and commercial relations with Britain [12] *Ibid* III 252

[13] *Ibid* III 329

the well being of England Paine it must be noted is far from advocating a return to nature 'It is always possible to go from the natural to the civilized state, but it is never possible to go from the civilized to the natural state'[14] The problem facing the poor lies in a complicated dispossession involved in the gradual development of civilization. How then can the dispossessed ever be given justice? Paine's answer is to place an inheritance tax on personal property and on land Part of his plan for the distribution among the poor of the monies thus acquired by the government Paine puts into these words

> To create a national fund out of which there shall be paid to every person when arrived at the age of twenty-one years, the sum of fifteen pounds sterling as a compensation in part for the loss of his or her natural inheritance by the introduction of the system of landed property[15]

V

It seems proper to assume that Paine by the close of the eighteenth century recognized that he no longer had anything to contribute to the political progress of England and France His thoughts once more returned to America While Jefferson was still the Republican nominee Paine had written to Jefferson expressing the wish that he be given passage to America in a public vessel Upon his election Jefferson replied in a cordial letter offering Paine convoy in the sloop of war *Maryland* In addition the President replied that he was in hopes that Paine would find the country returned generally to sentiments worthy of former times In these it will be your glory to have steadily labored [illegible]

[illegible] prayer Later in 1801 Paine wrote to Jefferson congratulating him on his election though for the time being declining his invitation to use the *Maryland* In September of the following year however Paine arrived in Baltimore

[14] Ibid III 318 [15] Ibid III 331
[1] Conway III, 428

Because of his notorious letter to Washington and of his attacks on formal religion in the *Age of Reason* (1794 96), he returned for the most part a man hated and despised For a time he felt that even Jefferson was shunning him, but Jefferson was not long in assuring Paine of his friendship and admiration Besides Jefferson, Robert Fulton and John Wesley Jarvis, the painter in whose home Paine resided for five months, proved staunch friends

With his return to America Paine had no other course but to choose a political party and to fight as best he still could for the principles of that party His most significant political writing done during Jefferson s administration consisted of public letters eight in number, addressed "To the Citizens of the United States" (1802, 1803, 1805) Though somewhat rambling and incoherent these letters were obviously an attempt to strengthen Jefferson s hand in the difficult task which that statesman had taken upon himself in the face of an opposing political party Paine still contended that essentially he was a Federalist if by Federalist was "to be understood one who was for cementing the Union by a general government operating equally over all the States in all matters that embraced the common interest [2] And Paine has much to say about "Those who once figured as leaders under the assumed and fraudulent name of *federalism* [3] Indeed America had had her own ' Reign of Terror '— the latter end of the Washington Administration and the whole of that of Adams [4] These letters were unquestionably of assistance in paving the way for Jefferson's re election

In numerous other essays and letters Paine now sought to support the Republican cause Among these is A Challenge to the Federalists to Declare their Principles In this paper he asserts that the principles of the Republicans are well known and incontrovertible— 'that sovereignty resides in the great mass of the people and that the persons they elect are the representatives of that sovereignty itself But the Federalists have no principles and are mere *snarlers* or their principles are too bad to be

[2] *Ibid.*, III 386 [3] Philadelphia *Aurora* June 7 1805

[4] Conway III 392 Reference here is to John Adams second President of the United States (1796 1800)

told As to the inconsistencies contradictions and falsehoods of the Federal faction they are too numerous to be counted [5] Let the Federalists therefore declare their principles if they can! Just before his death Paine became involved in a political controversy with James Cheetham editor of the New York *American Citizen* a newspaper of strong Federalist not to say monarchical leanings A portion of this controversy centered about some of Paine s recent comments on the English monarchy made in the same spirit of Anglophobia characteristic of the *Rights of Man* By the time of his death Paine had come to identify Federalism with a devotion to England Cheetham undertook to answer these aspersions on England and Paine penned several replies quite in the manner of the eighteenth-century satirists sparing no offensive or coarse detail He describes Cheetham as an ugly tempered man who carries the evidence of it in the vulgarity and forbiddingness of his countenance—God has set a mark upon Cain [6] Cheetham finally retaliated with a scathing biography of Paine published the year of Paine s death

Alas for the Reign of Terror! Paine was never the same man after his imprisonment in the Luxembourg and the defection of Washington exaggerated beyond all normal proportions Born always to enjoy the very breath of liberty Paine had met with a doom so very wretched In writing *Common Sense,* he had asserted that he espoused no political party elsewhere he had declared himself a citizen of the world Now in old age he became unpleasantly partisan and was a man almost without a country Not even Jefferson s strong friendship could redeem him in the eyes of his countrymen Soured and disillusioned he went to the grave

Yet this must not be our final appraisal of Thomas Paine It is our hope to have demonstrated that despite the human frailties that attend ever upon genius Paine was one of those great humanitarian spirits who illuminate with rare intensity the age into which they are born Remember him then as the apostle of political liberty and the spokesman of the common man in America—in England—and in France!

[5] 1839 ed., II 460-461 [6] *Ibid* II 490 491

SELECTED BIBLIOGRAPHY

Paine's Major Political Works

Common Sense (1776)

The American Crisis (15 papers published during the war, 1776-1783, the last paper, number 16, published after the war, December 9, 1783)

Public Good (1780)

Dissertations on Government, the Affairs of the Bank, and Paper Money (1786)

Rights of Man (Part I, 1791, Part II, 1792)

Dissertation on First Principles of Government (1795)

Agrarian Justice (1797)

Collected Works

The Political Writings of Thomas Paine 2 vols Charlestown, Mass, 1824

Clark, Harry H, ed, *Six New Letters of Thomas Paine* Madison, Wisconsin, 1939

Conway, Moncure D, ed, *The Writings of Thomas Paine* 4 vols New York, 1894-1896

Foner, Philip S, ed, *The Complete Writings of Thomas Paine* 2 vols New York, 1945

Van der Weyde, William M ed, *The Life and Works of Thomas Paine* 10 vols New York, 1925

Collateral Reading

Blunk, R, *Thomas Paine Ein Leben für Amerika* Berlin 1936

Bradford, Gamaliel Damaged Souls' *Harper's Magazine*, CXLVI, 369 378 *Feb 1923*

Brailsford, H N, *Shelley, Godwin, and Their Circle* New York, 1913

Brinton, Crane, "Thomas Paine" *Dictionary of American Biography*, Vol XIV New York, 1934

Burke, Edmund, *Reflections on the French Revolution*, edited by W Alison Phillips and C B Phillips Cambridge, England, 1912, revised, 1929

Clark, Harry H, "Thomas Paine," Introduction to *Representative Selections*, published in "American Writers Series" New York, 1944

Conway, Moncure D, *The Life of Thomas Paine* 2 vols New York, 1892

Davidson, Philip, *Propaganda and the American Revolution, 1763 1783* Chapel Hill, N C, 1941

Dorfman, H The Economic Philosophy of Thomas Paine," *Political Science Quarterly*, LIII, 372 386, Sept, 1938

Hall, W P *British Radicalism, 1791 97* New York, 1912

Link, E P, *Democratic Republican Societies, 1790-1800* New York, 1942

Merriam C E, Jr 'Thomas Paine's Political Theories," *Political Science Quarterly*, XIV 389 404, Sept, 1899

Parrington, Vernon L, *The Colonial Mind, 1620-1800* New York, 1927

Pearson Hesketh *Tom Paine, Friend of Mankind* New York, 1936

Penniman Howard 'Thomas Paine—Democrat," *American Political Science Review* XXXVII, 244 262, April, 1943

Persinger C E The Political Philosophy of Thomas Paine" *Graduate Bulletin* of The University of Nebraska, series VI, no 3 July 1901

Sheldon Frederick 'Tom Paine s First Appearance in America," *Atlantic Monthly*, IV 565 575, Nov, 1859

——— 'Thomas Paine s Second Appearance in the United States' *Atlantic Monthly*, IV, 1 17, July, 1859

——— 'Thomas Paine in England and in France," *Atlantic Monthly*, IV, 690-709 Dec 1859

Smith Frank "New Light on Thomas Paine's First Year in America 1775" *American Literature*, I, 347 371, Jan, 1930

——— 'The Date of Thomas Paine s First Arrival in America," *American Literature*, III 317 318, Nov, 1931

Stephen, Leslie, "Thomas Paine," *Dictionary of National Biography*, Vol XLIII
Tyler, M C, *Literary History of the American Revolution—1763 1783* 2 vols New York, 1897
Van Doren, Carl, "Thomas Paine,' *American Writers on American Literature*, edited by John Macy New York, 1931
Woodward, W E, *Tom Paine, America's Godfather* New York 1945

NOTE ON THE TEXT

Common Sense was first published—anonymously—in Philadelphia, Pennsylvania, on January 10 1776, and reprinted almost immediately in other parts of the country Shortly after its first publication, Paine revised the text and published in the same year a corrected and enlarged version as, "A NEW EDITION, with several Additions in the Body of the Work" An "N B" on the title page stated also that "The New Edition here given increases the Work upwards of One Third"

The "New Edition must be accepted as the author's final version and has, therefore, been adopted for the present volume The text has been carefully collated with the copy of the "New Edition" in the possession of the New York Public Library and follows that text except for spelling and punctuation, which have been revised to conform to present-day American usage Obvious printer s errors have been corrected and the original version printed in footnotes

The other essays here reprinted and the passages quoted in the Introduction follow current editions As in the case of *Common Sense* spelling and punctuation have been modernized 'The American Crisis XIII here reprinted, is actually the fifteenth paper published at the end of the war The discrepancy in numbering is due to the fact that two of the preceding essays had been given titles— The Crisis Extraordinary" and "A Supernumerary Crisis respectively

Paine s own footnotes to the text included have been retained entire

For the convenience of the reader, the editor has contributed a number of appendix notes and footnotes, the latter indicated by brackets

The editor and the publishers wish to acknowledge the kind cooperation of the New York Public Library in making available for study and collation their collection of first editions of Paine's works

O P

COMMON SENSE

ADDRESSED TO

INHABITANTS OF AMERICA

[A NEW EDITION, 1776]

COMMON SENSE

ADDRESSED TO

INHABITANTS OF AMERICA

[A NEW EDITION, 1776]

COMMON SENSE

INTRODUCTION

PERHAPS THE SENTIMENTS CONTAINED IN THE FOLLOWING pages are not *yet* sufficiently fashionable to procure them general favor a long habit of not thinking a thing *wrong* gives it a superficial appearance of being *right*, and raises at first a formidable outcry in defense of custom But the tumult soon subsides Time makes more converts than reason

As a long and violent abuse of power is generally the means of calling the right of it in question (and in matters, too, which might never have been thought of, had not the sufferers been aggravated into the inquiry) and as the King of England has undertaken in his *own right* to support the Parliament in what he calls *theirs, and as the* good people of this country are grievously oppressed by the combination they have an undoubted privilege to inquire into the pretensions of both and equally to reject the usurpation of either

In the following sheets the author has studiously avoided every-thing which is personal among ourselves Compliments as well as censure to individuals make no part thereof The wise and the worthy need not the triumph of a pamphlet and those whose sentiments are injudicious or unfriendly will cease *of themselves*, unless too much pains are bestowed upon their conversion

The cause of America is in a great measure the cause of all mankind Many circumstances have and will arise which are not local but universal and through which the principles of all lovers of mankind are affected and in the event of which their affections are interested The laying a country desolate with fire and sword, declaring war against the natural rights of all mankind, and extirpating the defenders thereof from the face of the earth is the concern of every man to whom *nature* has given the power of feeling of which class, regardless of party censure, is the

AUTHOR

P S * The publication of this new edition has been delayed, with a view of taking notice (had it been necessary) of any attempt to refute the doctrine of independence As no answer has yet appeared, it is now presumed that none will, the time needful for getting such a performance ready for the public being considerably past

Who the author of this production is, is wholly unnecessary to the public, as the object for attention is the *doctrine itself*, not the *man* Yet it may not be unnecessary to say that he is unconnected with any party and under no sort of influence, public or private but the influence of reason and principle

Philadelphia, February 14, 1776

COMMON SENSE

Of the Origin and Design of Government in General With Concise Remarks on the English Constitution

Some writers have so confounded society with government as to leave little or no distinction between them, whereas they are not only different but have different origins Society is produced by our wants, and government by our wickedness, the former promotes our happiness *positively* by uniting our affections, the latter *negatively* by restraining our vices The one encourages intercourse, the other creates distinctions The first is a patron, the last a punisher

Society in every state is a blessing but government even in its best state is but a necessary evil, in its worst state an intolerable one, for when we suffer or are exposed to the same miseries *by a government* which we might expect in a country *without government*, our calamity is heightened by reflecting that we furnish the means by which we suffer Government, like dress is the badge of lost innocence, the palaces of kings are built on the ruins of the bowers of paradise For were the impulses of conscience clear, uniform, and irresistibly obeyed, man would need no other lawgiver, but that not being the case he finds it necessary to

* [The following is Paine's postscript to the Preface in the New Edition]

surrender up a part of his property to furnish means for the protection of the rest, and this he is induced to do by the same prudence which in every other case advises him out of two evils to choose the least. Wherefore, security being the true design and end of government, it unanswerably follows that whatever form thereof appears most likely to ensure it to us, with the least expense and greatest benefit, is preferable to all others

In order to gain a clear and just idea of the design and end of government, let us suppose a small number of persons settled in some sequestered part of the earth, unconnected with the rest, they will then represent the first peopling of any country, or of the world In this state of natural liberty, society will be their first thought A thousand motives will excite them thereto, the strength of one man is so unequal to his wants and his mind so unfitted for perpetual solitude that he is soon obliged to seek assistance and relief of another who in his turn requires the same Four or five united would be able to raise a tolerable dwelling in the midst of a wilderness but one man might labor out the common period of life without accomplishing anything, when he had felled his timber, he could not remove it, nor erect it after it was removed hunger in the meantime would urge him from his work and every different want call h [illegible]
misfortune would be [illegible]
either would disable [illegible]
which he might rather be said to perish than to die

Thus necessity like a gravitating power, would soon form our newly arrived emigrants into society, the reciprocal blessings of which would supersede and render the obligations of law and government unnecessary while they remained perfectly just to each other but as nothing but Heaven is impregnable to vice, it will unavoidably happen that in proportion as they surmount the first difficulties of emigration which bound them together in a common cause they will begin to relax in their duty and attachment to each other, and this remissness will point out the necessity of establishing some form of government to supply the defect of moral virtue

Some convenient tree will afford them a statehouse, under the

branches of which the whole colony may assemble to deliberate on public matters It is more than probable that their first laws will have the title only of regulations and be enforced by no other penalty than public disesteem In this first parliament every man by natural right will have a seat

But as the colony increases the public concerns will increase likewise, and the distance at which the members may be separated will render it too inconvenient for all of them to meet on every occasion as at first, when their number was small their habitations near, and the public concerns few and trifling This will point out the convenience of their consenting to leave the legislative part to be managed by a select number chosen from the whole body, who are supposed to have the same concerns at stake which those have who appointed them and who will act in the same manner as the whole body would act were they present If the *colony continue increasing it will become necessary to augment* the number of representatives and that the interest of every part of the colony may be attended to it will be found best to divide the whole into convenient parts each part sending its proper number and that the *elected* might never form to themselves an interest separate from the *electors* prudence will point out the *propriety of having elections often because as the elected might* by that means return and mix again with the general body of the *electors* in a few months their fidelity to the public will be secured by the prudent reflection of not making a rod for themselves And as this frequent interchange will establish a common interest with every part of the community they will mutually and naturally support each other and on this (not on the unmeaning name of king) depends the *strength of government and the happiness of the governed*

Here then is the origin and rise of government namely a mode rendered necessary by the inability of moral virtue to govern the world here too is the design and end of government viz freedom and security And however our eyes may be dazzled with show or our ears deceived by sound however prejudice may warp our wills or interest darken our understanding the simple voice of nature and reason will say it is right

I draw my idea of the form of government from a principle in nature which no art can overturn, viz, that the more simple anything is, the less liable it is to be disordered and the easier repaired when disordered, and with this maxim in view I offer a few remarks on the so much boasted constitution of England That it was noble for the dark and slavish times in which it was erected is granted When the world was overrun with tyranny, the least remove therefrom was a glorious rescue But that it is imperfect, subject to convulsions and incapable of producing what it seems to promise is easily demonstrated

Absolute governments (though the disgrace of human nature) have this advantage with them that they are simple, if the people suffer, they know the head from which their suffering springs, know likewise the remedy and are not bewildered by a variety of causes and cures But the constitution of England is so exceedingly complex that the nation may suffer for years together without being able to discover in which part the fault lies, some will say in one and some in another, and every political physician will advise a different medicine

I know it is difficult to get over local or long-standing prejudices yet if we will suffer ourselves to examine the component parts of the English constitution, we shall find them to be the base *remains of two ancient* tyrannies, compounded with some new republican materials

First, the remains of monarchical tyranny in the person of the king

Secondly, the remains of aristocratical tyranny in the persons of the peers

Thirdly, the new republican materials *in* the persons of the Commons, on whose virtue depends the freedom of England

The two first by being hereditary, are independent of the people wherefore in a *constitutional sense*, they contribute nothing toward the freedom of the state

To say that the constitution of England is a *union* of three powers reciprocally *checking* each other, is farcical, either the words have no meaning or they are flat contradictions

To say that the Commons is a check upon the king presupposes two things

First, that the king is not to be trusted without being looked after, or, in other words, that a thirst for absolute power is the natural disease of monarchy

Secondly, that the Commons, by being appointed for that purpose, are either wiser or more worthy of confidence than the crown

But as the same constitution which gives the Commons a power to check the king by withholding the supplies gives afterward the king a power to check the Commons by empowering him to reject their other bills, it again supposes that the king is wiser than those whom it has already supposed to be wiser than him A mere absurdity!

There is something exceedingly ridiculous in the composition of monarchy, it first excludes a man from the means of information *yet empowers him to act in cases where the highest judgment is* required The state of a king shuts him from the world yet the business of a king requires him to know it thoroughly, wherefore the different parts, by unnaturally opposing and destroying each other, prove the whole character to be absurd and useless

Some writers have explained the English constitution thus the king, say they, is one the people another the peers are a house in behalf of the king the Commons in behalf of the people but this has all the distinctions of a house divided against itself, and though the expressions be pleasantly arranged yet when examined *they appear idle and ambiguous and it will always happen that* the nicest construction that words are capable of when applied to the description of something which either cannot exist or is too incomprehensible to be within the compass of description will be words of sound only and though they may amuse the ear they cannot inform the mind for this explanation includes a previous question viz, *how came the king by a power which the people are afraid to trust and always obliged to check?* Such a power could not be the gift of a wise people neither can any power *which needs checking* be from God yet the provision which the constitution makes supposes such a power to exist

But the provision is unequal to the task, the means either cannot or will not accomplish the end, and the whole affair is a Felo-de-se, for as the greater weight will always carry up the less, and as all the wheels of a machine are put in motion by one, it *only* remains to know which power in the constitution has the *most weight*, for that will govern, and though the others, or a part of them, may clog or, as the phrase is, check the rapidity of its motion, yet so long as they cannot *stop it*, *their endeavors* will be ineffectual The first moving power will at last have its way, and what it wants in speed is supplied by time

That the crown is this overbearing part in the English constitution needs not be mentioned, and that it derives its whole consequence merely from being the giver of places and pensions is self-evident, wherefore, though we have been wise enough to shut and lock a door against absolute monarchy, we at the same time have been *foolish enough to* put the crown in possession of the key

The prejudice of Englishmen in favor of their own government by king, lords, and Commons arises as much or more from national pride than reason Individuals are undoubtedly safer in England than in some other countries, but the will of the king is as much the law of the land in Britain as in France, with this *difference*, that instead of proceeding directly from his mouth, it *is handed to the* people under the more formidable shape of an act of *Parliament For the fate* of Charles the First[1] has only made kings more subtle—*not more just*

Wherefore, laying aside all *national* pride and prejudice in favor of modes and forms the *plain truth is* that *it is wholly owing to the constitution of the people, and not to the constitution of the government*, that the crown is not as oppressive in England as in Turkey

An inquiry into the *constitutional errors* in the English form of government is at this time highly necessary, for as we are never in proper condition of doing justice to others while we continue under the infl [illegible]
we capable of doin [illegible]
any obstinate prej [illegible] as a man who is attached to a prostitute is unfitted to choose or judge of a wife, so any pre-

To say that the Commons is a check upon the king presupposes two things

First, that the king is not to be trusted without being looked after, or, in other words, that a thirst for absolute power is the natural disease of monarchy

Secondly, that the Commons, by being appointed for that purpose, are either wiser or more worthy of confidence than the crown

But as the same constitution which gives the Commons a power to check the king by withholding the supplies gives afterward the king a power to check the Commons by empowering him to reject their other bills, it again supposes that the king is wiser than those whom it has already supposed to be wiser than him A mere absurdity!

There is something exceedingly ridiculous in the composition of monarchy, it first excludes a man from the means of information yet empowers him to act in cases where the highest judgment is required The state of a king shuts him from the world, yet the business of a king requires him to know it thoroughly, wherefore the different parts, by unnaturally opposing and destroying each other, prove the whole character to be absurd and useless

Some writers have explained the English constitution thus the king, say they, is one, the people another, the peers are a house in behalf of the king, the Commons in behalf of the people, but this has all the distinctions of a house divided against itself, and though the expressions be pleasantly arranged yet when examined they appear idle and ambiguous and it will always happen that the nicest construction that words are capable of when applied to the description of something which either cannot exist or is too incomprehensible to be within the compass of description will be words of sound only, and though they may amuse the ear, they cannot inform the mind, for this explanation includes a previous question, viz, *how came the king by a power which the people are afraid to trust and always obliged to check?* Such a power could not be the gift of a wise people, neither can any power *which needs checking* be from God, yet the provision which the constitution makes supposes such a power to exist

But the provision is unequal to the task, the means either can not or will not accomplish the end, and the whole affair is a Felo-de-se, for as the greater weight will always carry up the less, and as all the wheels of a machine are put in motion by one, it only remains to know which power in the constitution has the most weight for that will govern, and though the others, or a part of them, may clog or, as the phrase is check the rapidity of its motion, yet so long as they cannot stop it, their endeavors will be ineffectual The first moving power will at last have its way, and what it wants in speed is supplied by time

That the crown is this overbearing part in the English con stitution needs not be mentioned, and that it derives its whole consequence merely from being the giver of places and pensions is self-evident wherefore, though we have been wise enough to shut and lock a door against absolute monarchy we at the same time have *been foolish* enough to put the crown in possession of the key

The prejudice of Englishmen in favor of their own government by king lords and Commons arises as much or more from na tional pride than reason Individuals are undoubtedly safer in England than in some other countries but the will of the king is as much the law of the land in Britain as in France with this difference that instead of proceeding directly from his *mouth*, it is handed to the people under the more formidable shape of an act of Parliament For the fate of Charles the First[1] has only made kings *more* subtle—not more just

Wherefore laying aside all national pride and prejudice in favor of modes and forms the plain truth is that *it is wholly owing to the constitution of the people, and not to the constitution of the government* that the crown is not as oppressive in England as in Turkey

An inquiry into the *constitutional errors* in the English form of government is at this time highly necessary, for as we are never in proper condition of doing justice to others while we con tinue under the influence of some leading partiality, so neither are we capable of doing it to ourselves while we remain fettered by any obstinate prejudice And as a man who is attached to a prostitute is unfitted to choose or judge of a wife so any pre

possession in favor of a rotten constitution of government will disable us from discerning a good one

Of Monarchy and Hereditary Succession

Mankind being originally equals in the order of creation the equality could only be destroyed by some subsequent circumstance, the distinctions of rich and poor may in a great measure be accounted for, and that without having recourse to the harsh ill sounding names of oppression and avarice Oppression is often the *consequence* but seldom or never the *means* of riches, and though avarice will preserve a man from being necessitously poor it generally makes him too timorous to be wealthy

But there is another and greater distinction for which no truly natural or religious reason can be assigned, and that is the distinction of men into kings and subjects Male and female are the distinctions of nature, good and bad the distinctions of heaven but how a race of men came into the world so exalted above the rest, and distinguished like some new species, is worth inquiring into, and whether they are the means of happiness or of misery to mankind

In the early ages of the world according to the scripture chronology, there were no kings, the consequence of which was there were no wars, it is the pride of kings which throws mankind into confusion Holland, without a king has enjoyed more peace for this last century than any of the monarchical governments in Europe Antiquity favors the same remark, for the quiet and rural lives of the first patriarchs have a happy something in them which vanishes when we come to the history of Jewish royalty

Government by kings was first introduced into the world by the heathens, from whom the children of Israel copied the custom It was the most prosperous invention the devil ever set on foot for the promotion of idolatry The heathens paid divine honors to their deceased kings, and the Christian world has improved on the plan by doing the same to their living ones How impious is the title of sacred majesty applied to a worm, who in the midst of his splendor is crumbling into dust!

As the exalting one man so greatly above the rest cannot be justified on the equal rights of nature, so neither can it be defended on the authority of scripture, for the will of the Almighty, as declared by Gideon and the prophet Samuel, expressly disapproves of government by kings All antimonarchical parts of scripture have been very smoothly glossed over in monarchical governments, but they undoubtedly merit the attention of countries which have their governments yet to form "Render unto Caesar the things which are Caesar's"[2] is the scripture doctrine of courts, yet it is no support of monarchical government, for the Jews at that time were without a king and in a state of vassalage to the Romans

Near three thousand years passed away, from the Mosaic account of the creation, till the Jews under a national *delusion* requested a king Till then their form of government (except in extraordinary cases where the Almighty interposed) was a kind of republic, administered by a judge and the elders of the tribes Kings they had none, and it was held sinful to acknowledge any being under that title but the Lord of Hosts And when a man seriously reflects on the idolatrous homage which is paid to the persons of kings, he need not wonder that the Almighty, ever jealous of his honor, should disapprove of a form of government which so impiously invades the prerogative of heaven

Monarchy is ranked in scripture as one of the sins of the Jews, for which a curse in reserve is denounced against them The history of that transaction is worth attending to

The children of Israel being oppressed by the Midianites, Gideon[3] marched against them with a small army, and victory through the divine interposition decided in his favor The Jews, elate with success and attributing it to the generalship of Gideon, proposed making him a king, saying, "Rule thou over us, thou and thy son and thy son's son' Here was temptation in its fullest extent—not a kingdom only, but a hereditary one—but Gideon, in the piety of his soul replied, I will not rule over you, neither shall my son rule over you *The Lord shall rule over you*" Words need not be more explicit, Gideon does not decline the honor, but denies their right to give it, neither does he compliment them

with invented declarations of his thanks, but in the positive style of a prophet charges them with disaffection to their proper sovereign, the King of Heaven

About one hundred and thirty years after this, they fell again into the same error The hankering which the Jews had for the idolatrous customs of the heathens is something exceedingly unaccountable, but so it was that, laying hold of the misconduct of Samuel's[4] two sons, who were entrusted with some secular concerns, they came in an abrupt and clamorous manner to Samuel, saying, "Behold thou art old, and thy sons walk not in thy ways, now make us a king to judge us like all the other nations And here we cannot but observe that their motives were bad viz that they might be like unto other nations, i e, the heathens whereas their true glory lay in being as much unlike them as possible "*But the thing displeased Samuel when they said,* Give us a king to judge us and Samuel prayed unto the Lord and the Lord said unto Samuel, Hearken unto the voice of the people in all that they say unto thee, for they have not rejected thee, but they have rejected me, ***that I should not reign over them*** According to all the works which they have done since the day that I brought them up out of Egypt even unto this day, wherewith they have forsaken me, and served other Gods so do they also unto thee Now therefore hearken unto their voice, howbeit, protest solemnly unto them and show them the manner of the king that shall reign over them ' i e, not of any particular king but the general manner of the kings of the earth whom Israel was so eagerly copying after And notwithstanding the great distance of time and difference of manners, the character is *still* in fashion *And Samuel told all* the words of the Lord unto the people, that asked of him a king And he said, This shall be the manner of the king that shall *reign over you he will take your sons and appoint them for him*self for his chariots and to be his horsemen and some shall run before his chariots (this description agrees with the present mode of impressing men), ' and he will appoint him captains over thousands and captains over fifties, and will set them to ear his ground and to reap his harvest, and to make his instruments of war and instruments of his chariots, and he will take your daughters

to be confectionaries, and to be cooks, and to be bakers" (this describes the expense and luxury as well as the oppression of kings), "and he will take your fields and your olive yards, even the best of them, and give them to his servants, and he will take the tenth of your seed and of your vineyards, and give them to his officers and to his servants" (by which we see that bribery, corruption, and favoritism are the standing vices of kings), "and he will take the tenth of your men servants, and your maid servants, and your goodliest young men, and your asses, and put them to his work, and he will take the tenth of your sheep, and ye shall be his servants, and ye shall cry out in that day because of your king which ye shall have chosen, *and the Lord will not hear you in that day*" This accounts for the continuation of monarchy, neither do the characters of the few good kings which have lived since either sanctify the title or blot out the sinfulness of the origin, the high encomium given of David takes no notice of him *officially as a king*, but only as a *man* after God's own heart "Nevertheless the people refused to obey the voice of Samuel and they said, Nay but we will have a king over us, that we may be like all the nations, and that our king may judge us, and go out before us and fight our battles" Samuel continued to reason with them, but to no purpose, he set before them their ingratitude but all would not avail, and seeing them fully bent on their folly, he cried out, "I will call unto the Lord, and he shall send thunder and rain (which was then a punishment, being in the time of wheat harvest) "that ye may perceive and see that your wickedness is great which ye have done in the sight of the Lord *in asking you a king* So Samuel called unto the Lord, and the Lord sent thunder and rain that day, and all the people greatly feared the Lord and Samuel And all the people said unto Samuel Pray for thy servants unto the Lord thy God that we die not for *we have added unto our sins this evil, to ask a king*" These portions of scripture are direct and positive They admit of no equivocal construction That the Almighty has here entered his protest against monarchical government is true, or the scripture is false And a man has good reason to believe that there is as much of kingcraft as priestcraft in withholding the scripture

with invented declarations of his thanks, but in the positive style of a prophet charges them with disaffection to their proper sovereign, the King of Heaven

About one hundred and thirty years after this, they fell again into the same error The hankering which the Jews had for the idolatrous customs of the heathens is something exceedingly unaccountable, but so it was that, laying hold of the misconduct of Samuel's[4] two sons, who were entrusted with some secular concerns, they came in an abrupt and clamorous manner to Samuel, saying, "Behold thou art old, and thy sons walk not in thy ways, now make us a king to judge us like all the other nations And here we cannot but observe that their motives were bad, viz, that they might be like unto other nations, i e, the heathens whereas their true glory lay in being as much unlike them as possible "But the thing displeased Samuel when they said, Give us a king to judge us, and Samuel prayed unto the Lord, and the Lord said unto Samuel, Hearken unto the voice of the people in all that they say unto thee, for they have not rejected thee, but they have rejected me, *that I should not reign over them* According to all the works which they have done since the day that I brought them up out of Egypt even unto this day, wherewith they have forsaken me, and served other Gods so do they also unto thee Now therefore hearken unto their voice, howbeit, protest solemnly unto them and show them the manner of the king that shall reign over them," i e, not of any particular king, but the general manner of the kings of the earth whom Israel was so eagerly copying after And notwithstanding the great distance of time and difference of manners, the character is still in fashion And Samuel told all the words of the Lord unto the people that asked of him a king And he said, This shall be the manner of the king that shall reign over you, he will take your sons and appoint them for himself for his chariots and to be his horsemen and some shall run before his chariots" (this description agrees with the present mode of impressing men), and he will appoint him captains over thousands and captains over fifties, and will set them to ear his ground and to reap his harvest, and to make his instruments of war, and instruments of his chariots, and he will take your daughters

with the free and unrestrained principles they professed to live by Wherefore hereditary succession in the early ages of monarchy could not take place as a matter of claim, but as something casual or complemental, but as few or no records were extant in those days, and traditionary history stuffed with fables, it was very easy, after the lapse of a few generations, to trump up some super stitious tale conveniently timed, Mahometlike, to cram hereditary right down the throats of the vulgar Perhaps the disorders which threatened, or seemed to threaten on the decease of a leader and the choice of a new one (for elections among ruffians could not be very orderly) induced many at first to favor hereditary preten sions by which means it happened, as it has happened since, that what at first was submitted to as a convenience was afterward claimed as a right

England since the conquest has known some few good monarchs, but groaned beneath a much larger number of bad ones, yet no man in his senses can say that their claim under William the Conqueror[4] is a very honorable one A French bastard landing with an armed banditti and establishing himself king of England against the consent of the natives is in plain terms a very paltry, rascally original It certainly has no divinity in it However, it is needless to spend much time in exposing the folly of hereditary right if there are any so weak as to believe it, let them promis cuously worship the ass and lion and welcome I shall neither copy their humility nor disturb their devotion

Yet I should be glad to ask how they *suppose* kings came at first? The question admits but of three answers, viz, either by lot by election or by usurpation If the first king was taken by lot it establishes a precedent for the next, which excludes heredi tary succession Saul was by lot yet the *succession* was not he reditary neither does it appear from that transaction that there was any intention it ever should If the first king of any country was by election that likewise establishes a precedent for the next for to say that the right of all future *generations* is taken away by the act of the first electors in their choice, not only of a king but of a family of kings forever has no parallel in or out of scripture but the doctrine of original sin which supposes the free

from the public in popish countries For monarchy in every instance is the popery of government

To the evil of monarchy we have added that of hereditary succession, and as the first is a degradation and lessening of ourselves so the second, claimed as a matter of right, is an insult and an imposition on posterity For all men being originally equals, no one by birth could have a right to set up his own family in perpetual preference to all others forever, and though himself might deserve some decent degree of honors of his co temporaries yet his descendants might be far too unworthy to inherit them One of the strongest natural proofs of the folly of hereditary right in kings is that nature disapproves it, otherwise she would not so frequently turn it into ridicule by giving mankind an *ass for a lion*

Secondly, as no man at first could possess any other public honors than were bestowed upon him, so the givers of those honors could have no power to give away the right of posterity, and though they might say "We choose you for our head," they could not without manifest injustice to their children say ' that your children and your children's children shall reign over ours forever" Because such an unwise, unjust, unnatural compact might (perhaps) in the next succession put them under the government of a rogue or a fool Most wise men in their private sentiments have ever treated hereditary right with contempt, yet it is one of those evils which when once established is not easily removed, many submit from fear, others from superstition, and the more powerful part shares with the king the plunder of the rest

This is supposing the present race of kings in the world to have had an honorable origin, whereas it is more than probable that, could we take off the dark covering of antiquity and trace them to their first rise, that we should find the first of them nothing better than the principal ruffian of some restless gang, whose savage manners or pre eminence in subtilty obtained him the title of chief among plunderers and who, by increasing in power and extending his depredations, overawed the quiet and defenseless to purchase their safety by frequent contributions Yet his electors could have no idea of giving hereditary right to his descendants, because such a perpetual exclusion of themselves was incompatible

with the free and unrestrained principles they professed to live by Wherefore hereditary succession in the early ages of monarchy could not take place as a matter of claim, but as something casual or complemental, but as few or no records were extant in those days, and traditionary history stuffed with fables, it was very easy, after the lapse of a few generations, to trump up some superstitious tale conveniently timed, Mahometlike, to cram hereditary right down the throats of the vulgar Perhaps the disorders which threatened, or seemed to threaten on the decease of a leader and the choice of a new one (for elections among ruffians could not be very orderly) induced many at first to favor hereditary pretensions by which means it happened, as it has happened since, that what at first was submitted to as a convenience was afterward claimed as a right

England since the conquest has known some few good monarchs, but groaned beneath a much larger number of bad ones, yet no man in his senses can say that their claim under William the Conqueror[5] is a very honorable one A French bastard landing with an armed banditti and establishing himself king of England against the consent of the natives is in plain terms a very paltry, rascally original It certainly has no divinity in it However, it is needless to spend much time in exposing the folly of hereditary right if there are any so weak as to believe it, let them promiscuously worship the ass and lion and welcome I shall neither copy their humility nor disturb their devotion

Yet I should be glad to ask how they suppose kings came at first? The question admits but of three answers, viz, either by lot by election or by usurpation If the first king was taken by lot it establishes a precedent *for the next,* which excludes hereditary succession Saul was by lot yet the succession was not hereditary neither does it appear from that transaction that there was any intention it ever should If *the first* king of any country was by election that likewise establishes a precedent for the next, for to say that the right of all future generations is taken away by the act of the first electors in their choice, not only of a king but of a family of kings forever has no parallel in or out of scripture but the doctrine of original sin which supposes the free

will of all men lost in Adam, and from such comparison, and it will admit of no other, hereditary succession can derive no glory For as in Adam all sinned and as in the first electors all men obeyed, as in the one all mankind were subjected to Satan and in the other to sovereignty, as our innocence was lost in the first and our authority in the last, and as both disable us from reassuming some former state and privilege, it unanswerably follows that original sin and hereditary succession are parallels Dishonorable rank! inglorious connection! yet the most subtle sophist cannot produce a juster simile

As to usurpation, no man will be so hardy as to defend it, and that William the Conqueror was a usurper is a fact not to be contradicted The plain truth is that the antiquity of English monarchy will not bear looking into

But it is not so much the absurdity as the evil of hereditary succession which concerns mankind Did it insure a race of good and wise men, it would have the seal of divine authority, but as it opens a door to the *foolish*, the *wicked*, and the *improper*, it has in it the nature of oppression Men who look upon themselves born to reign and others to obey soon grow insolent Selected from the rest of mankind, their minds are early poisoned by importance and the world they act in differs so materially from the world at large that they have but little opportunity of knowing its true interests and, when they succeed to the government, are frequently the most ignorant and unfit of any throughout the dominions

Another evil which attends hereditary succession is that the throne is subject to be possessed by a minor at any age, all which time the regency, acting under the cover of a king have every opportunity and inducement to betray their trust The same national misfortune happens when a king worn out with age and infirmity, enters the last stage of human weakness In both these cases the public becomes a prey to every miscreant who can tamper successfully with the follies either of age or infancy

The most plausible plea which has ever been offered in favor of hereditary succession is that it preserves a nation from civil wars, and were this true it would be weighty, whereas it is the most barefaced falsity ever imposed upon mankind The whole history

of England disowns the fact Thirty kings and two minors have reigned in that distracted kingdom since the conquest, in which time there have been (including the Revolution [b]) no less than eight civil wars and nineteen rebellions Wherefore, instead of making for peace, it makes against it and destroys the very foundation it seems to stand on

The contest for monarchy and succession between the houses of York and Lancaster [6] laid England in a scene of blood for many years Twelve pitched battles besides skirmishes and sieges were fought between Henry and Edward Twice was Henry prisoner to Edward, who in his turn was prisoner to Henry And so uncertain is the fate of war and the temper of a nation, when nothing but personal matters are the ground of a quarrel, that Henry was taken in triumph from a prison to a palace, and Edward obliged to fly from a palace to a foreign land yet, as sudden transitions of temper are seldom lasting, Henry in his turn was driven from the throne and Edward recalled to succeed him The Parliament always following the strongest side

This contest began in the reign of Henry the Sixth and was not entirely extinguished till Henry the Seventh,[7] in whom the families were united Including a period of sixty seven years, viz, from 1422 to 1489

In short monarchy and succession have laid (not this or that kingdom only) but the world in blood and ashes 'Tis a form of government which the word of God bears testimony against, and blood will attend it

If we inquire into the business of a king we shall find that in some countries they have none and after sauntering away their lives without pleasure to themselves or advantage to the nation withdraw from the scene and leave their successors to tread the same idle round In absolute monarchies the whole weight of business civil and military lies on the king, the children of Israel in their request for a king urged this plea, 'that he may judge us and go out before us and fight our battles" But in the countries where he is *neither a judge* nor a general, as in England a man would be puzzled to know what *is* his business

[b] [Reference here is to the Revolution of 1688.]

The nearer any government approaches to a republic the less business there is for a king It is somewhat difficult to find a proper name for the government of England Sir William Meredith[8] calls it a republic but in its present state it is unworthy of the name because the corrupt influence of the crown by having all the places in its disposal has so effectually swallowed up the power and eaten out the virtue of the House of Commons (the republican part in the constitution) that the government of England is nearly as monarchical as that of France or Spain Men fall out with names without understanding them For it is the republican and not the monarchical part of the constitution of England which Englishmen glory in viz the liberty of choosing a House of Commons from out of their own body—and it is easy to see that when republican virtues fail slavery ensues Why is the constitution of England sickly but because monarchy has poisoned the republic the crown has engrossed the Commons

In England a king has little more to do than to make war and give away places which in plain terms is to impoverish the nation and set it together by the ears A pretty business indeed for a man to be allowed eight hundred thousand sterling a year for, and worshiped into the bargain! Of more worth is one honest man to society and in the sight of God than all the crowned ruffians that ever lived

Thoughts on the Present State of American Affairs

In the following pages I offer nothing more than simple facts plain arguments and common sense and have no other preliminaries to settle with the reader than that he will divest himself of prejudice and prepossession and suffer his reason and his feelings to determine for themselves that he will put on or rather *that he will not put off the true character of a man and generously* enlarge his views beyond the present day

Volumes have been written on the subject of the struggle between England and America Men of all ranks have embarked in the controversy from different motives and with various de

signs, but all have been ineffectual, and the period of debate is closed Arms as the last resource decide the contest, the appeal was the choice of the king, and the continent has accepted the challenge

It has been reported of the late Mr Pelham* (who, though an able minister, was not without his faults) that, on his being attacked in the House of Commons on the score that his measures were only of a temporary kind, replied, "they will last my time" Should a thought so fatal and unmanly possess the colonies in the present contest, the name of ancestors will be remembered by future generations with detestation

The sun never shined on a cause of greater worth 'Tis not the affair of a city a county a province, or a kingdom, but of a continent—of at least one-eighth part of the habitable globe 'Tis not the concern of a day, a year, or an age, posterity are virtually involved in the contest, and will be more or less affected even to the end of time by the proceedings now Now is the seed time of continental union faith, and honor The least fracture *now* will be like a name engraved with the point of a pin on the tender rind of a young oak, the wound would enlarge *with the* tree, and posterity read it in full grown characters

By referring the matter from argument [illegible]

politics is struck—

proposals etc pr [illegible]

mencement of hostilities [illegible] are like the almanacs *of the last* year, which though proper then are superseded and useless now What ever was advanced by the advocates on either *side of* the question then terminated in one and the same point, viz, a union with Great Britain the only difference between the part[illegible]

[illegible] minister [illegible]

As much has been said of the advantages of reconciliation which like an agreeable dream has passed away and left us as we were it is but right that we should examine the contrary side of the argument and inquire into some of the many material injuries which these colonies *sustain*, and always will sustain, by

The nearer any government approaches to a republic, the less business there is for a king It is somewhat difficult to find a proper name for the government of England Sir William Meredith[8] calls it a republic, but in its present state it is unworthy of the name, because the corrupt influence of the crown, by having all the places in its disposal, has so effectually swallowed up the power and eaten out the virtue of the House of Commons (the republican part in the constitution) that the government of England is nearly as monarchical as that of France or Spain Men fall out with names without understanding them For it is the republican and not the monarchical part of the constitution of England which Englishmen glory in, viz , the liberty of choosing a House of Commons from out of their own body—and it is easy to see that when republican virtues fail, slavery ensues Why is the constitution of England sickly but because monarchy has poisoned the republic, the crown has engrossed the Commons

In England a king has little more to do than to make war and give away places which, in plain terms, is to impoverish the nation and set it together by the ears A pretty business indeed for a man to be allowed eight hundred thousand sterling a year for, and worshiped into the bargain! Of more worth is one honest man to society, and in the sight of God, than all the crowned ruffians that ever lived

Thoughts on the Present State of American Affairs

In the following pages I offer nothing more than simple facts plain arguments, and common sense and have no other preliminaries to settle with the reader than that he will divest himself of prejudice and prepossession, and suffer his reason and his feelings to determine for themselves that he will put on or rather that he will not put off the true character of a man and generously enlarge his views beyond the present day

Volumes have been written on the subject of the struggle between England and America Men of all ranks have embarked in the controversy, from different motives and with various de

only true way of proving enemyship, if I may so call it France and Spain never were, nor perhaps ever will be, our enemies as *Americans*, but as our being the *subjects of Great Britain*

But Britain is the parent country, say some Then the more shame upon her conduct Even brutes do not devour their young nor savages make war upon their families, wherefore the assertion, if true, turns to her reproach, but it happens not to be true, or only partly so, and the phrase "parent" or "mother country" has been jesuitically adopted by the king and his parasites with a low papistical design of gaining an unfair bias on the credulous weakness of our minds Europe, and not England, is the parent country of America This New World has been the asylum for the persecuted lovers of civil and religious liberty from *every part* of Europe Hither have they fled, not from the tender embraces of the mother, but from the cruelty of the monster, and it is so far true of England that the same tyranny which drove the first emigrants from home pursues their descendants still

In this extensive quarter of the globe, we forget the narrow limits of three hundred and sixty miles (the extent of England) and carry our friendship on a larger scale, we claim brotherhood with every European Christian and triumph in the generosity of the sentiment

It is pleasant to observe by what regular gradations we [illegible]
mour [illegible]
with [illegible]
paris [illegible]
(bec [illegible] in many cases will be common) and distinguish him by the name of neighbor, if he meet him but a few miles from home he drops the narrow idea of a street and salutes him by the name of *townsman*, if he travel out of the county and meet him in any other he forgets the minor divisions of street and town and calls him "countryman" i e, "countyman" but if in their foreign excursions they should associate in France or any other part of *Europe*, their local remembrance would be enlarged into that of "*Englishmen*" And by a just parity of reasoning all Europeans meeting in America or any other quarter of the globe, are "countrymen", for England, Holland,

being connected with and dependent on Great Britain To examine that connection and dependence on the principles of nature and common sense, to see what we have to trust to, if separated and what we are to expect, if dependent

I have heard it asserted by some that, as America has flourished under her former connection with Great Britain, the same connection is necessary toward her future happiness and will always have the same effect Nothing can be more fallacious than this kind of argument We may as well assert that because a child has thrived upon milk that it is never to have meat, or that the first twenty years of our lives is to become a precedent for the next twenty But even this is admitting more than is true, for I answer roundly that America would have flourished as much and probably much more, had no European power had anything to do with her The commerce by which she has enriched herself are the necessaries of life and will always have a market while *eating is the custom of Europe*

But she has protected us, say some That she has engrossed us is true, and defended the continent at our expense as well as her own is admitted, and she would have defended Turkey from the same motive, viz, for the sake of trade and dominion

Alas! we have been long led away by ancient prejudices and made large sacrifices to superstition We have boasted the protection of Great Britain without considering that her motive was *interest*, not *attachment*, and that she did not protect us from *our enemies* on *our account* but from *her enemies* on *her own account*, from those who had no quarrel with us on any *other account* and who will always be our enemies on the *same account* Let Britain waive her pretensions to the continent or the continent throw off the dependence and we should be at peace with France and Spain, were they at war with Britain The miseries of Hanover's last war [11] ought to warn us against connections

It has lately been asserted in Parliament that the colonies have no relation to each other but through the parent country, i e, that Pennsylvania and the Jerseys, and so on for the rest, are sister colonies by the way of England, this is certainly a very roundabout way of proving relationship, but it is the nearest and

only true way of proving enemyship, if I may so call it France and Spain never were, nor perhaps ever will be, our enemies as *Americans*, but as our being the *subjects of Great Britain*

But Britain is the parent country, say some Then the more shame upon her conduct Even brutes do not devour their young nor savages make war upon their families, wherefore the assertion, if true, turns to her reproach, but it happens not to be true or only partly so, and the phrase "parent or "mother country" has been jesuitically adopted by the king and his parasites with a low papistical design of gaining an unfair bias on the credulous weakness of our minds Europe, and not England, is the parent country of America This New World has been the asylum for the persecuted lovers of civil and religious liberty from *every part* of Europe Hither have they fled, not from the tender embraces of the mother, but from the cruelty of the *monster*, and it is so far true of England that the same tyranny which drove the first emigrants from home pursues their descendants still

In this extensive quarter of the globe, we forget the narrow limits of three hundred and sixty miles (the extent of England) and carry our friendship on a larger scale, we claim brotherhood with every European Christian, and triumph in the generosity of the sentiment

It is pleasant to observe by what regular gradations we surmount the force of local prejudices as we enlarge our acquaintance with the world A man born in any town in England divided into parishes will naturally associate most with his fellow parishioners (because their interests in many cases will be common) and distinguish him by the name of neighbor', if he meet him but a few miles from home he drops the narrow idea of a street and salutes him by the name of townsman if he travel out of the county and meet him in any other he *forgets the* minor divisions of street and town and calls him 'countryman" i e, "countyman but if in their foreign excursions they should associate in France or any other part of *Europe*, their local remembrance would be enlarged into that of Englishmen" And by a just parity of reasoning all Europeans meeting in America, or any other quarter of the globe, are 'countrymen', for England, Holland,

being connected with and dependent on Great Britain To examine that connection and dependence on the principles of nature and common sense, to see what we have to trust to, if separated, and what we are to expect, if dependent

I have heard it asserted by some that, as America has flourished under her former connection with Great Britain, the same connection is necessary toward her future happiness and will always have the same effect Nothing can be more fallacious than this kind of argument We may as well assert that because a child has thrived upon milk that it is never to have meat, or that *the first twenty years of our lives is to become a precedent for* the next twenty But even this is admitting more than is true for I answer roundly that America would have flourished as much and probably much more, had no European power had anything to do with her The commerce by which she has enriched herself are the necessaries of life and will always have a market while eating is the custom of Europe

But she has protected us, say some That she has engrossed us is true, and defended the continent at our expense as well as her own is admitted, and she would have defended Turkey from the same motive, viz, for the sake of trade and dominion

Alas! we have been long led away by ancient prejudices and made large sacrifices to superstition We have boasted the protection of Great Britain without considering that her motive was *interest*, not *attachment*, and that she did not protect us from *our enemies* on *our account* but from *her enemies* on *her own account*, from those who had no quarrel with us on any *other account* and who will always be our enemies on the *same account* Let Britain waive her pretensions to the continent or the continent throw off the dependence, and we should be at peace with France and Spain, were they at war with Britain The miseries of Hanover's last war [11] ought to warn us against connections

It has lately been asserted in Parliament that the colonies have no relation to each other but through the parent country, i e, that Pennsylvania and the Jerseys, and so on for the rest, are sister colonies by the way of England, this is certainly a very roundabout way of proving relationship, but it is the nearest and

directly to involve this continent in European wars and quarrels and sets us at variance with nations who would otherwise seek our friendship and against whom we have neither anger nor complaint As Europe is our market for trade, we ought to form no partial connection with any part of it It is the true interest of America to steer clear of European contentions, which she never can do while, by her dependence on Britain, she is made the makeweight in the scale of British politics

Europe is too thickly planted with kingdoms to be long at peace, and whenever a war breaks out between England and any foreign power, the trade of America goes to ruin *because of her connection with Britain* The next war may not turn out like the last, and should it not, the advocates for reconciliation now will be wishing for separation then, because neutrality in that case would be a safer convoy than a man-of war Everything that is right or natural pleads for separation The blood of the slain, the weeping voice of nature cries "'*Tis time to part*" Even the distance at which the Almighty has placed England and America is a strong and natural proof that the authority of the one over the other was never the design of heaven The time likewise at which the continent was discovered adds weight to the argument, and the manner in which it was peopled increases the force of it *The Reformation* was preceded by the discovery of America—as if the Almighty graciously meant to open a sanctuary to the persecuted in future years, when home should afford neither friend ship nor safety

The authority of Great Britain over this continent is a form of government which sooner or later must have an end And a serious mind can draw no true pleasure by looking forward, under the painful and positive conviction that what he calls ' the present constitution is merely temporary As parents, we can have no joy, knowing that this government is *not sufficiently* lasting to insure anything which we may bequeath to posterity And by a plain method of argument as we *are running* the next generation into debt we ought to do the work of it, otherwise we use them meanly and pitifully In order to discover the line of our duty rightly we should take our children in our hand and fix our sta-

Germany, or Sweden, when compared with the whole, stand in the same places on the larger scale which the divisions of street town, and county do on the smaller ones—distinctions too limited for continental minds Not one third of the inhabitants, even of this province,[c] are of English descent Wherefore I reprobate the phrase of parent or mother country applied to England only as being false, selfish, narrow, and ungenerous

But, admitting that we were all of English descent, what does it amount to? Nothing Britain, being now an open enemy, extinguishes every other name and title, and to say that reconciliation is our duty is truly farcical The first king of England of the present line (William the Conqueror) was a Frenchman and half the peers of England are descendants from the same country, wherefore, by the same method of reasoning, England ought to be governed by France

Much has been said of the united strength of Britain and the colonies, that in conjunction they might bid defiance to the world But this is mere presumption, the fate of war is uncertain, neither do the expressions mean anything, for this continent would never suffer itself to be drained of inhabitants to support the British arms in either Asia, Africa, or Europe

Besides, what have we to do with setting the world at defiance? Our plan is commerce, and that, well attended to, will secure us the peace and friendship of all Europe, because it is the interest of all Europe to have America a free port Her trade will always be a protection, and her barrenness of gold and silver secure her from invaders

I challenge the warmest advocate for reconciliation to show a single advantage that this continent can reap by being connected with Great Britain I repeat the challenge not a single advantage is derived Our corn will fetch its price in any market in Europe, and our imported goods must be paid for, buy them where we will

But the injuries and disadvantages we sustain by that connection are without number, and our duty to mankind at large, as well as to ourselves, instruct us to renounce the alliance, because any submission to or dependence on Great Britain tends

c [Pennsylvania.]

directly to involve this continent in European wars and quarrels and sets us at variance with nations who would otherwise seek our friendship and against whom we have neither anger nor complaint As Europe is our market for trade, we ought to form no partial connection with any part of it It is the true interest of America to steer clear of European contentions, which she never can do while, by her dependence on Britain, she is made the makeweight in the scale of British politics

Europe is too thickly planted with kingdoms to be long at peace, and whenever a war breaks out between England and any foreign power, the trade of America goes to ruin *because of her connection with Britain* The next war may not turn out like the last, and should it not the advocates for reconciliation now will be wishing for separation then because neutrality in that case would be a safer convoy than a man-of war Everything that is right or natural pleads for separation The blood of the slain, the weeping voice of nature cries "*'Tis time to part*" Even the distance at which the *Almighty has placed* England and America is a strong and natural proof that the authority of the one over the other was never the design of heaven The time likewise at which the continent was discovered adds weight to the argument, and the manner in which it was peopled increases the force of it The Reformation was preceded by the discovery of America—as if the Almighty graciously meant to open a sanctuary to the persecuted in future years when home should afford neither friendship nor safety

The authority of Great Britain over this continent is a form of government which sooner or later must have an end And a serious mind can draw no true pleasure by looking forward, under the painful and positive conviction *that* what he calls "the present constitution is merely temporary As parents, we can have no joy, knowing that this government is not sufficiently lasting to insure anything which we may bequeath to posterity And by a plain method of argument as we are running the next generation into debt we ought to do the work of it otherwise we use them meanly and pitifully In order to discover the line of our duty rightly we should take our children in our hand *and* fix our sta

tion a few years farther into life, that eminence will present a prospect which a few present fears and prejudices conceal from our sight

Though I would carefully avoid giving unnecessary offense, yet I am inclined to believe that all those who espouse the doctrine of reconciliation may be included within the following descriptions Interested men, who are not to be trusted, weak men who *can not* see, prejudiced men who *will not* see, and a certain set of moderate men who think better of the European world than it deserves, and this last class, by an ill judged deliberation will be the cause of more calamities to this continent than all the other three

It is the good fortune of many to live distant from the scene of sorrow, the evil is not sufficiently brought to *their* doors to make *them* feel the precariousness with which all American property is possessed But let our imaginations transport us a few moments to Boston, that seat of wretchedness will teach us wisdom and instruct us forever to renounce a power in whom *we can have no trust The inhabitants of that unfortunate city* who, but a few months ago, were in ease and affluence have now no other alternative than to stay and starve or turn out to beg[13] Endangered by the fire of their friends if they continue within the city, and plundered by the soldiery if they leave it In their present condition they are prisoners without the hope of redemption, and in a general attack for their relief they would be exposed to the fury of both armies

Men of passive tempers look somewhat lightly over the offenses of Great Britain and still hoping for the best, are apt to call out, ' Come, come, we shall be friends again for all this " But examine the passions and feelings of mankind, bring the doctrine of reconciliation to the touchstone of nature, and then tell me whether you can hereafter love, honor, and faithfully serve the power that *has carried* fire and sword into your land? If you cannot do all these, then are you only deceiving yourselves, and by your delay bringing ruin upon posterity Your future connection with Britain, whom you can neither love nor honor, will be forced and unnatural, and being formed only on the plan of present convenience

will, in a little time, fall into a relapse more wretched than the first But if you say you still can pass the violations over, then I ask, has your house been burned? Has your property been destroyed before your face? Are your wife and children destitute of a bed to lie on or bread to live on? Have you lost a parent or a child by their hands, and yourself the ruined and wretched survivor? If you have not, then are you not a judge of those who have But if you have and can still shake hands with the murderers, then are you unworthy the name of husband, father, friend, or lover, and whatever may be your rank or title in life, you have the heart of a coward and the spirit of a sycophant

This is not inflaming or exaggerating matters, but trying them by those feelings and affections which nature justifies and without which we should be incapable of discharging the social duties of life or enjoying the felicities of it I mean not to exhibit horror for the purpose of provoking revenge, but to awaken us from fatal and unmanly slumbers, that we may pursue determinately some fixed object It is not in the power of Britain or Europe to conquer America, if she do not conquer herself by delay and timidity The present winter is worth an age if rightly employed, but if lost or neglected the whole continent will partake of the misfortune and there is no punishment which that man will not deserve, be he who or what or where he will, that may be the means of sacrificing a season so precious and useful

It is repugnant to reason to the universal order of things, to all examples from former ages, to suppose that this continent can longer remain subject to any external power The most sanguine in Britain does not think so The utmost stretch of human wisdom cannot, at this
can promise the
now a fallacious
art cannot sup ... as Milton wisely expresses, "never can true reconcilement grow where wounds of deadly hate have pierced so deep"[13]

Every quiet method for peace has been ineffectual Our prayers have been rejected with disdain, and only tended to convince us that nothing flatters vanity or confirms obstinacy in kings more

than repeated petitioning—and nothing has contributed more than that very measure to make the kings of Europe absolute Witness Denmark and Sweden Wherefore, since nothing but blows will do, for God s sake let us come to a final separation and not leave the next generation to be cutting throats under the violated unmeaning names of parent and child

To say they will never attempt it again is idle and visionary we thought so at the repeal of the Stamp Act,[14] yet a year or two undeceived us as well may we suppose that nations which have been once defeated will never renew the quarrel

As to government matters, it is not in the power of Britain to do this continent justice The business of it will soon be too weighty and intricate to be managed with any tolerable degree of convenience by a power so distant from us and so very ignorant of us, for if they cannot conquer us they cannot govern us To be always running three or four thousand miles with a tale or a petition waiting four or five months for an answer, which, when obtained requires five or six more to explain it in will in a few years be looked upon as folly and childishness There was a time when it was proper, and there is a proper time for it to cease

Small islands not capable of protecting themselves are the proper objects for kingdoms to take under their care but there is something very absurd in supposing a continent to be perpetually governed by an island In no instance has nature made the satellite larger than its primary planet and as England and America, with respect to each other reverse the common order of nature, it is evident they belong to different systems—England to Europe America to itself

I am not induced by motives of pride party or resentment to espouse the doctrine of separation and independence I am clearly, positively, and conscientiously persuaded that it is the true interest of this continent to be so that everything short of *that* is mere patchwork, that it can afford no lasting felicity—that it is leaving the sword to our children and shrinking back at a time when a little more, a little further would have rendered this continent the glory of the earth

As Britain has not manifested the least inclination toward a

compromise, we may be assured that no terms can be obtained worthy the acceptance of the continent, or any ways equal to the expense of blood and treasure we have been already put to

The object contended for ought always to bear some just proportion to the expense The removal of North,[15] or the whole detestable junto, is a matter unworthy the millions we have expended A temporary stoppage of trade was an inconvenience which would have sufficiently balanced the repeal of all the acts complained of, had such repeals been obtained, but if the whole continent must take up arms if every man must be a soldier, it is scarcely worth our while to fight against a contemptible ministry only Dearly, dearly do we pay for the repeal of the acts, if that is all we fight for for in a just estimation it is as great a folly to pay a Bunker Hill price for law as for land [16] As I have always considered the independence of this continent as an event which sooner or later must arrive so from the late rapid progress of the continent to maturity, the event cannot be far off Wherefore, on the breaking out of hostilities it was not worth the while to have disputed a matter which time would have finally redressed, unless we meant to be in earnest otherwise it is like wasting an estate on a suit at law to regulate the trespasses of a tenant whose lease is just expiring No man was a warmer wisher for a reconciliation than myself before the fatal nineteenth of April, 1775,[a] but the moment the event of that day was made known I rejected the hardened, sullen tempered Pharaoh of England [17] forever and disdain the wretch that with the pretended title of *father of his people*, can unfeelingly hear of their slaughter and composedly sleep with their blood upon his soul

But admitting that matters were now made up, what would be the event? I answer, the ruin of the continent And that for several reasons

First The powers of governing still remaining in the hands of the king he will have a *negative* over the whole legislation of this continent And as he has shown himself such an inveterate enemy to liberty and discovered such a *thirst for* arbitrary power, is he or is he not a proper man to say to these colonies, "You shall

[a] Massacre at Lexington.

make no laws but what I please!"? And is there any inhabitant of America so ignorant as not to know that, according to what is called the "present Constitution," that this continent can make no laws but what the king gives leave to, and is there any man so unwise as not to see that (considering what has happened) he will suffer no law to be made here but such as suits *his* purpose? We may be as effectually enslaved by the want of laws in America as by submitting to laws made for us in England After matters are made up (as it is called), can there be any doubt but the whole power of the crown will be exerted to keep this continent as low and humble as possible? Instead of going forward we shall go backward, or be perpetually quarrelling, or ridiculously petitioning We are already greater than the king wishes us to be, and will he not hereafter endeavor to make us less? To bring the matter to one point, is the power who is jealous of our prosperity a proper power to govern us? Whoever says "No" to this question is an independent, for independence means no more than whether we shall make our own laws or whether the king, the greatest enemy this continent has or can have, shall tell us "there shall be no laws but such as I like"

But the king, you will say, has a negative in England, the people there can make no laws without his consent In point of right and good order, there is something very ridiculous that a youth of twenty one (which has often happened) shall say to several millions of people older and wiser than himself, I forbid this or that act of yours to be law" But in this place I decline this sort of reply, though I will never cease to expose the absurdity of it, and only answer that England being the king s residence and America not so, makes quite another case The king s negative *here* is ten times more dangerous and fatal than it can be in England for *there* he will scarcely refuse his consent to a bill for putting England into as strong a state of defense as possible, and in America he would never suffer such a bill to be passed

America is only a secondary object in the system of British politics England consults the good of *this* country no farther than it answers her *own* purpose Wherefore her own interest leads her to suppress the growth of *ours* in every case which does not pro

mote her advantage or in the least interferes with it A pretty state we should soon be in under such a secondhand government, considering what has happened! Men do not change from enemies to friends by the alteration of a name And in order to show that reconciliation now is a dangerous doctrine, I affirm *that it would be policy in the king at this time to repeal the acts, for the sake of reinstating himself in the government of the provinces*, in order that *he may accomplish by craft and subtlety in the long run what he cannot do by force and violence in the short one* Reconciliation and ruin are nearly related

Secondly That as even the best terms which we can expect to obtain can amount to no more than a temporary expedient, or a kind of government by guardianship, which can last no longer than till the colonies come of age, so the general face and state of things in the interim will be unsettled and unpromising Emigrants of property will not choose to come to a country whose form of government hangs but by a thread, and who is every day tottering on the brink of commotion and disturbance, and numbers of the present inhabitants would lay hold of the interval to dispose of their effects and quit the continent

But the most powerful of all arguments is that nothing but independence, i e a continental form of government, can keep the peace of the continent and preserve it inviolate from civil wars I dread the event of a reconciliation with Britain now, as it is more than probable that it will be followed by a revolt somewhere or other the consequences of which may be far more fatal than all the malice of Britain

Thousands are already ruined by British barbarity (thousands more will probably suffer the same fate) Those men have other feelings than us who have nothing suffered All they now possess is liberty what they before enjoyed is sacrificed to its service, and having nothing more to lose they disdain submission Besides, the general temper of the colonies toward a British government will be like that of a youth who is nearly *out of* his time, they will care very little about her And a government which cannot preserve the peace is no government at all and in that case we pay our money

for nothing, and pray what is it that Britain can do, whose power will be wholly on paper, should a civil tumult break out the very day after reconciliation? I have heard some men say, many of whom I believe spoke without thinking, that they dreaded an independence, fearing that it would produce civil wars It is but seldom *that our first thoughts are truly* correct, and that is the case here, for there are ten times more to dread from a patched up connection than from independence I make the sufferer's case my own, and I protest that, were I driven from house and home, my property destroyed, and my circumstances ruined, that as a man, sensible of injuries, I could never relish the doctrine of reconciliation or consider myself bound thereby

The colonies have manifested such a spirit of good order and obedience to continental government as is sufficient to make every reasonable person easy and happy on that head No man can assign the least pretense for his fears on any other grounds than such as are truly childish and ridiculous, viz, that one colony will be striving for superiority over another

Where there are no distinctions, there can be no superiority, perfect equality affords no temptation The republics of Europe are all (and we may say always) in peace Holland and Switzerland are without wars, foreign or domestic Monarchical governments it is true, are never long at rest, the crown itself is a temptation to enterprising ruffians at home, and that degree of pride and insolence ever attendant on regal authority swells into a rupture with foreign powers in instances where a republican government, by being formed on more natural principles, would negotiate the mistake

If there is any true cause of fear respecting independence, it is because no plan is yet laid down Men do not see their way out Wherefore, as an opening into that business I offer the following *hints, at the same time modestly affirming that I have no other* opinion of them myself than that they may be the means of giving rise to something better Could the straggling thoughts of individuals be collected, they would frequently form materials for wise and able men to improve into useful matter

Let the assemblies be annual, with a president only The representation more equal, their business wholly domestic, and subject to the authority of a Continental Congress

Let each colony be divided into six, eight, or ten convenient districts, each district to send a proper number of delegates to Congress, so that each colony send at least thirty The whole number in Congress will be at least 390 Each Congress to sit and to choose a president by the following method When the delegates are met, let a colony be taken from the whole thirteen colonies by lot after which let the whole Congress choose (by ballot) a president from out of the delegates of *that* province In the next Congress, let a colony be taken by lot from twelve only, omitting that colony from which the president was taken in the former Congress, and so proceeding on till the whole thirteen shall have had their proper rotation And in order that nothing may pass into a law but what is satisfactorily just not less than three fifths of the Congress to be called a majority He that will promote discord under a government so equally formed as this would have joined Lucifer in his revolt

But as there is a peculiar delicacy from whom or in what manner this business must first arise and as it seems most agreeable and consistent that it should come from some intermediate body between the governed and the governors that is, between the Congress and the people let a continental conference be held in the following manner and for the following purpose

A committee of twenty six members of Congress, viz, two for each colony Two members from each House of Assembly or Provincial Convention and five representatives of the *people at large*, to be chosen in the capital city or town of each province for and in behalf of the whole province by as many qualified voters as shall think proper to attend from all parts of the province for that purpose or if more convenient the representatives may be chosen in two or three of the most populous parts thereof In this conference

be able and useful counselors, and the whole, being empowered by the people, will have a truly legal authority

The conferring members being met, let their business be to frame a Continental Charter or Charter of the United Colonies (answering to what is called the Magna Charta [18] of England), fixing the number and manner of choosing members of Congress, members of Assembly, with their date of sitting, and drawing the line of business and jurisdiction between them (Always remembering that our strength is continental, not provincial) Securing freedom and property to all men, and above all things the free exercise of religion, according to the dictates of conscience, with such other matter as it is necessary for a charter to contain Immediately after which, the said conference to dissolve, and the bodies which shall be chosen conformable to the said charter to be the legislators and governors of this continent for the time being Whose peace and happiness may God preserve *Amen*

Should any body of men be hereafter delegated for this or some similar purpose, I offer them the following extracts from that wise observer on governments, Dragonetti [19] "The science," says he, "of the politician consists in fixing the true point of happiness and freedom Those men would deserve the gratitude of ages, who should discover a mode of government that contained the greatest sum of individual happiness, with the least national expense" Dragonetti on *Virtues and Reward*

But where, says some, is the king of America? I ll tell you friend he reigns above and does not make havoc of mankind like the royal brute of Britain Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter let it be brought forth placed on the divine law, the word of God, let a crown be placed thereon, by which the world may know that, so far as we approve of monarchy, that in America *the law is king* For as in absolute governments the king is law, so in free countries the law *ought* to be king, and *there ought to be no other* But lest any ill use should afterward arise, let the crown at the conclusion of the ceremony be demolished and scattered among the people, whose right it is

A government of our own is our natural right and when a man

seriously reflects on the precariousness of human affairs, he will become convinced that it is infinitely wiser and safer to form a Constitution of our own in a cool, deliberate manner while we have it in our power than to trust such an interesting event to time and chance If we omit it now, some Massanello* may hereafter arise, who, laying hold of popular disquietudes, may collect together the desperate and the discontented, and by assuming to themselves the powers of government may sweep away the liberties of the continent like a deluge Should the government of America return again into the hands of Britain, the tottering situation of things will be a temptation for some desperate adventurer to try his fortune and in such a case what relief can Britain give? Ere she could hear the news, the fatal business might be done and ourselves suffering like the wretched Britons under the oppression of the conqueror Ye that oppose independence now, ye know not what ye do ye are opening a door to eternal tyranny by keeping vacant the seat of government There are thousands and tens of thousands who would think it glorious to expel from the continent that barbarous and hellish power which has stirred up the Indians and the Negroes to destroy us the cruelty has a double guilt it is dealing brutally by us and treacherously by them

To talk of friendship with those in whom our reason forbids us to have faith and our affections wounded through a thousand pores instruct us to detest is madness and folly Every day wears out the little remains of kindred between us and them and can there be any reason to hope that as the relationship expires the affection will increase or that we shall agree better when we have ten times more and greater concerns to quarrel over than ever?

Ye that tell us of harmony and reconciliation can ye restore to us the time that is past? Can ye give to prostitution its former innocence? Neither can ye reconcile Britain and America The last cord now is broken the people of England are presenting addresses against us There are injuries which nature cannot forgive, she

*Thomas Anello otherwise Massanello, a fisherman of Naples who after spiriting up his countrymen in the public market place against the oppression of the Spaniards, to whom the place was then subject, prompted them to revolt and in the space of a day became king

would cease to be nature if she did As well can the lover forgive the ravisher of his mistress as the continent forgive the murders of Britain The Almighty has implanted in us these unextinguishable feelings for good and wise purposes They are the guardians of his image in our hearts They distinguish us from the herd of common animals The *social compact would dissolve and justice be* extirpated [from] the earth, or have only a casual existence, were we callous to the touches of affection The robber and the murderer would often escape unpunished did not the injuries which our tempers sustain provoke us into justice

O ye that love mankind! Ye that dare oppose not only the tyranny but the tyrant, stand forth! Every spot of the *Old World* is overrun with oppression Freedom has been hunted round the globe Asia and Africa have long expelled her Europe regards her like a stranger, and England has given her warning to depart O! receive the fugitive and prepare in time an asylum for mankind

Of the Present Ability of America, With Some Miscellaneous Reflections

I have never met with a man either in England or America who has not confessed his opinion that a separation between the countries would take place one time or other And there is no instance in which we have shown less judgment than in endeavoring to describe what we call the ripeness or fitness of the continent for independence

As all men allow the measure and vary only in their opinion of the time, let us, in order to remove mistakes take a general survey of things and endeavor if possible, to find out the *very* time But we need not go far, the inquiry ceases at once for the *time has found us* The general concurrence the glorious union of all things *prove the fact*

It is not in numbers but in unity that our great strength lies, yet our present numbers are sufficient to repel the force of all the world The continent has at this time the largest body of armed and disciplined men of any power under heaven and is just arrived at that pitch of strength in which no single colony is able to sup

port itself, and the whole, when united, can accomplish the mat ter, and either more or less than this might be fatal in its effects Our land force is already sufficient, and as to naval affairs, we can not be insensible that Britain would never suffer an American man of war to be built while the continent remained in her hands Wherefore we should be no forwarder a hundred years hence in that branch than we are now, but the truth is we should be less so because the timber of the country is every day diminishing, and that which will remain at last will be far off and difficult to procure

Were the continent crowded with inhabitants, her sufferings under the present circumstances would be intolerable The more seaport towns we had the more should we have both to defend and to lose Our present numbers are so happily proportioned to our wants that no man need be idle The diminution of trade affords an army and the necessities of an army create a new trade

Debts we have none, and whatever we may contract on this account will serve as a glorious memento of our virtue Can we but leave posterity with a settled form of government, an independent constitution of its own the purchase at any price will be cheap But to expend millions for the sake of getting a few vile acts repealed and routing the present ministry only is unworthy the charge and is using posterity with the utmost cruelty, because it is leaving them the great work to do and a debt upon their backs from which they derive no advantage Such a thought is unworthy a man of honor and is the true characteristic of a narrow heart and a peddling politician

The debt we may contract does not deserve our regard if the work be but accomplished No nation ought to be without a debt A national debt is a national bond and when it bears no interest is in no case a grievance Britain is oppressed with a debt of upward of one hundred and forty millions sterling for which she pays upward of four millions interest And as a compensation for her debt she has a large navy America is without a debt and with out a navy yet for the twentieth part of the English national debt could have a navy as large again The navy of England is not worth at this time more than three millions and a half sterling

The first and second editions of this pamphlet were published without the following calculations, which are now given as a proof that the above estimation of the navy is a just one See Entic s *Naval History*,[20] Intro , p 56

The charge of building a ship of each rate and furnishing her with masts, yards, sails, and rigging, together with a proportion of eight months boatswain's and carpenter's sea stores, as calcu lated by Mr Burchett,[21] Secretary to the navy

For a ship of 100 guns	35,553 *l*
90	29,886
80	23,638
70	17,785
60	14,197
50	10,606
40	7,558
30	5,846
20	3,710

And from hence it is easy to sum up the value or cost rather, of the whole British navy which in the year 1757, when it was at its greatest glory, consisted of the following ships and guns

Ships	*Guns*	*Cost of One*	*Cost of All*
6	100	35 553 *l*	213 318 *l*
12	90	29,886	358,632
12	80	23,638	283,656
43	70	17,785	764 755
35	60	14,197	496,895
40	50	10 606	424,240
45	40	7,558	340,110
58	20	3 710	215,180
85	Sloops, bombs and fireships, one with another, at	2 000	170,000
		Cost	3 266,786 *l*
		Remains for guns	233 214
		Total	3 500 000 *l*

No country on the globe is so happily situated or so internally capable of raising a fleet as America Tar, timber, iron, and cordage are her natural produce We need go abroad for nothing Whereas the Dutch, who make large profits by hiring out their ships of war to the Spaniards and Portuguese, are obliged to import most of the materials they use We ought to view the building a fleet as an article of commerce, it being the natural manufactory of this country It is the best money we can lay out A navy when finished is worth more than it cost And is that nice point in national policy in which commerce and protection are united Let us build, if we want them not, we can sell and by that means replace our paper currency with ready gold and silver

In point of manning a fleet, people in general run into great errors, it is not necessary that one fourth part should be sailors The terrible privateer, Captain Death, stood the hottest engagement of any ship last war,[22] yet had not twenty sailors on board, though her complement of men was upward of two hundred A few able and social sailors will soon instruct a sufficient number of active landmen in the common work of a ship Wherefore we never can be more capable to begin on maritime matters than now while our timber is standing, our fisheries blocked up, and our sailors and shipwrights out of employ Men-of war, of seventy and eighty guns were built forty years ago in New England, and why not the same now? Shipbuilding is America's greatest pride and in which she will in time excel the whole world The great empires of the east are mostly inland and consequently excluded from the possibility of rivaling her Africa is in a state of barbarism, and no power in Europe has either such an extent of coast or such an internal supply of materials Where nature has given the one, she has withheld the other to America only has she been liberal of both The vast empire of Russia is almost shut out from the sea, wherefore her boundless forests, her tar, iron, and cordage are only articles of commerce

In point of safety, ought we to be without a fleet? We are not the little people now which we were sixty years ago, at that time we might have trusted our property in the streets, or fields rather, and slept securely without locks or bolts to our doors or windows

The first and second editions of this pamphlet were published without the following calculations, which are now given as a proof that the above estimation of the navy is a just one See Entics *Naval History*,[20] Intro , p 56

The charge of building a ship of each rate and furnishing her with masts, yards, sails, and rigging, together with a proportion of eight months boatswain's and carpenter's sea stores, as calculated by Mr Burchett,[21] Secretary to the navy

For a ship of 100 guns	35,553 *l*
90	29,886
80	23,638
70	17,785
60	14,197
50	10,606
40	7,558
30	5 846
20	3,710

And from hence it is easy to sum up the value or cost rather, of the whole British navy which in the year 1757 when it was at its greatest glory, consisted of the following ships and guns

Ships	*Guns*	*Cost of One*	*Cost of All*
6	100	35,553 *l*	213 318 *l*
12	90	29,886	358,632
12	80	23,638	283,656
43	70	17,785	764 755
35	60	14,197	496,895
40	50	10 606	424,240
45	40	7,558	340,110
58	20	3,710	215,180
85	Sloops, bombs and fireships, one with another, at	2,000	170,000
		Cost	3 266,786 *l*
		Remains for guns	233 214
		Total	3,500 000 *l*

have not claim any foreign dominion, our whole force would be employed on our own coast, where we should, in the long run, have two to one the advantage of those who had three or four thousand miles to sail over before they could attack us and the same distance to return in order to refit and recruit And although Britain by her fleet, has a check over our trade to Europe, we have as large a one over her trade to the West Indies, which, by laying in the neighborhood of the continent, lies entirely at its mercy

Some method might be fallen on to keep up a naval force in time of peace, if we should not judge it necessary to support a constant navy If premiums were to be given to merchants to build and employ in their service ships mounted with twenty, thirty, forty, or fifty guns (the premiums to be in proportion to the loss of bulk to the merchants), fifty or sixty of those ships, with a few guardships on constant duty, would keep up a sufficient navy, and that without burdening ourselves with the evil so loudly complained of in England of suffering their fleet in time of peace to lie rotting in the docks To unite the sinews of commerce and defense is sound policy, for when our strength and our riches play into each other's hand, we need fear no external enemy

In almost every article of defense we abound Hemp flourishes even to rankness so that we need not want cordage Our iron is superior to that of other countries Our small arms equal to any in the world Cannon we can cast at pleasure Saltpeter and gunpowder we are every day producing Our knowledge is hourly improving Resolution is our inherent character, and courage has never yet forsaken us Wherefore what is it that we want? Why is it that we hesitate? From Britain we can expect nothing but ruin If she is once admitted to the government of America again, this continent will not be worth living in Jealousies will be always arising insurrections will be constantly happening, and who will go forth to quell them? Who will venture his life to reduce his own countrymen to a foreign obedience? The difference between Pennsylvania and Connecticut respecting some unlocated lands, shows the insignificance of a British government and fully proves that nothing but continental authority can regulate continental matters

Another reason why the present time is preferable to all others

The case is now altered, and our methods of defense ought to improve with our increase of property A common pirate, twelve months ago, might have come up the Delaware [23] and laid the city of Philadelphia under instant contribution for what sum he pleased and the same might have happened to other places Nay, any daring fellow, in a brig of fourteen or sixteen guns, might have robbed the whole continent and carried off half a million of money These are circumstances which demand our attention and point out the necessity of naval protection

Some perhaps will say that, after we have made it up with Britain, she will protect us Can they be so unwise as to mean that she shall keep a navy in our harbors for that purpose? Common sense will tell us that the power which has endeavored to subdue us is, of all others, the most improper to defend us Conquest may be effected under the pretense of friendship, and ourselves, after a long and brave resistance, be at last cheated into slavery And if her ships are not to be admitted into our harbors, I would ask, how is she to protect us? A navy three or four thousand miles off can be of little use, and on sudden emergencies none at all Wherefore, if we must hereafter protect ourselves, why not do it for ourselves? Why do it for another?

The English list of ships of war is long and formidable, but not a tenth part of them are at any one time fit for service numbers of them not in being, yet their names are pompously continued in the list if only a plank be left of the ship and not a fifth part of such as are fit for service can be spared on any one station at one time The East and West Indies Mediterranean, Africa and other parts over which Britain extends her claim make large demands upon her navy From a mixture of prejudice and inattention, we have contracted a false notion respecting the navy of England and have talked as if we should have the whole of it to encounter at once, and for that reason supposed that we must have one as large, which not being instantly practicable has been made use of by a set of disguised Tories to discourage our beginning thereon Nothing can be farther from truth than this, for if America had only a twentieth part of the naval force of Britain she would be by far an overmatch for her, because, as we neither

have nor claim any foreign dominion our whole force would be employed on our own coast where we should in the long run have two to one the advantage of those who had three or four thousand miles to sail over before they could attack us and the same distance to return in order to refit and recruit And although Britain by her fleet has a check over our trade to Europe we have as large a one over her trade to the West Indies which by laying in the neighborhood of the continent lies entirely at its mercy

Some method might be fallen on to keep up a naval force in time of peace if we should not judge it necessary to support a constant navy If premiums were to be given to merchants to build and employ in their service ships mounted with twenty thirty forty or fifty guns (the premiums to be in proportion to the loss of bulk to the merchants) fifty or sixty of those ships with a few guardships on constant duty would keep up a sufficient navy and that without burdening ourselves with the *evil so loudly* complained of in England of suffering their fleet in time of peace to lie rotting in the docks To unite the sinews of commerce and defense *is sound policy* for when our strength and our riches play into each other s hand we need fear no external enemy

In almost every article of defense we abound Hemp flourishes even to rankness so that we need not want cordage Our iron is superior to that of other countries Our small arms equal *to any in the world* Cannon we can cast at pleasure Saltpeter and gunpowder we are every day producing Our knowledge is hourly *improving* Resolution is our inherent character and courage has *never* yet forsaken us Wherefore what is it that we want? Why is it that we hesitate? From Britain we can expect nothing but ruin If *she is* once admitted to the government of America again this continent will not be worth living in Jealousies will be always arising insurrections will be constantly happening and who will go forth to quell *them*? Who will venture his life *to* reduce his own countrymen to a foreign obedience? The difference between Pennsylvania and Connecticut respecting some unlocated lands shows the insignificance *of a British* government and fully proves that nothing but continental authority can regulate continental matters

Another reason why the present time is preferable to all others

The case is now altered, and our methods of defense ought to improve with our increase of property A common pirate, twelve months ago, might have come up the Delaware [23] and laid the city of Philadelphia under instant contribution for what sum he pleased, and the same might have happened to other places Nay, any daring fellow, in a brig of fourteen or sixteen guns, might have robbed the whole continent and carried off half a million of money These are circumstances which demand our attention and point out the necessity of naval protection

Some perhaps will say that, after we have made it up with Britain, she will protect us Can they be so unwise as to mean that she shall keep a navy in our harbors for that purpose? Common sense will tell us that the power which has endeavored to subdue us is of all others the most improper to defend us Conquest may be effected under the pretense of friendship and ourselves, after a long and brave resistance, be at last cheated into slavery And if her ships are not to be admitted into our harbors, I would ask, how is she to protect us? A navy three or four thousand miles off can be of little use, and on sudden emergencies none at all Wherefore, if we must hereafter protect ourselves, why not do it for ourselves? Why do it for another?

The English list of ships of war is long and formidable, but not a tenth part of them are at any one time fit for service numbers of them not in being yet their names are pompously continued in the list if only a plank be left of the ship and not a fifth part of such as are fit for service can be spared on any one station at one time The East and West Indies, Mediterranean Africa and other parts over which Britain extends her claim make large demands upon her navy From a mixture of prejudice and inattention we have contracted a false notion respecting the navy of England and have talked as if we should have the whole of it to encounter at once and for that reason supposed that we must have one as large, which not being instantly practicable has been made use of by a set of disguised Tories to discourage our beginning thereon Nothing can be farther from truth than this for if America had only a twentieth part of the naval fo[illegible] she would be by far an overmatch for her, because

happens to a nation but once, viz, the time of forming itself into a government. Most nations have let slip the opportunity, and by that means have been compelled to receive laws from their conquerors instead of making laws for themselves First they had a king and then a form of government, whereas the articles or charter of government should be formed first and men delegated to execute them afterward, but from the errors of other nations let us learn wisdom and lay hold of the present opportunity *to begin government at the right end*

When William the Conqueror subdued England, he gave them law at the point of the sword, and until we consent that the seat of government in America be legally and authoritatively occupied, we shall be in danger of having it filled by some fortunate ruffian who may treat us in the same manner, and then where will be our freedom? where our property?

As to religion, I hold it to be the indispensable duty of all government to protect all conscientious professors thereof, and I know of no other business which government has to do therewith Let a man throw aside that narrowness of soul, that selfishness of principle, which the niggards of all professions are so unwilling to part with, and he will be at once delivered of his fears on that head [illegible]

[illegible] Almighty that there should be diversity of religious opinions among us It affords a larger field for our Christian kindness Were we all of one way of thinking, our religious dispositions would want matter for probation, *and on this* liberal principle I look on the various denominations among us to be like children of the same family differing only in what is called their Christian names

In pages [30-31] I threw out a few thoughts on the propriety of a Continental Charter (for I only presume to offer hints, not plans), and in this place I *take the liberty of* [illegible]

is that the fewer our numbers are, the more land there is yet unoccupied, which, instead of being lavished by the king on his worthless dependents, may be hereafter applied, not only to the discharge of the present debt, but to the constant support of government No nation under heaven has such an advantage as this

The infant state of the Colonies, as it is called, so far from being against, is an argument in favor of independence We are sufficiently numerous, and were we more so we might be less united It is a matter worthy of observation that the more a country is peopled, the smaller their armies are In military numbers the ancients far exceeded the moderns, and the reason is evident, for trade being the consequence of population men become too much absorbed thereby to attend to anything else Commerce diminishes the spirit both of patriotism and military defense And history sufficiently informs us that the bravest achievements were always accomplished in the nonage of a nation With the increase of commerce England has lost its spirit The city of London notwithstanding its numbers, submits to continued insults with the patience of a coward The more men have to lose, the less willing are they to venture The rich are, in general, slaves to fear and submit to courtly power with the trembling duplicity of a spaniel

Youth is the seedtime of good habits, as well in nations as in individuals It might be difficult, if not impossible to form the continent into one government half a century hence The vast variety of interests, occasioned by an increase of trade and population, would create confusion Colony would be against colony Each being able might scorn each other's assistance and while the proud and foolish gloried in their little distinctions the wise would lament that the union had not been formed before Wherefore the present time is the true time for establishing it The intimacy which is contracted in infancy and the friendship which is formed in misfortune are of all others the most lasting and unalterable Our present union is marked with both these characters, we are young and we have been distressed but our concord has withstood our troubles and fixes a memorable era for posterity to glory in

The present time likewise, is that peculiar time which never

and are frequently surprised into reason by their mistakes Mr Cornwall[24] (one of the Lords of the Treasury) treated the petition of the New York Assembly with contempt because *that* house, he said, consisted but of twenty six members which trifling number, he argued, could not with decency be put for the whole We thank him for his involuntary honesty[f]

To conclude however strange it may appear to some or however unwilling they may be to think so matters not but many strong and striking reasons may be given to show that nothing can settle our affairs so expeditiously as an open and determined declaration for independence Some of which are

Firstly It is the custom of nations when any two are at war, for some other powers not engaged in the quarrel to step in as mediators and bring about the preliminaries of a peace But while America calls herself the subject of Great Britain no power however well disposed she may be can offer her mediation Wherefore, in our present state we may quarrel on forever

Secondly It is unreasonable to suppose that France or Spain will give us any kind of assistance if we mean only to make use of that assistance for the purpose of repairing the breach and strengthening the connection between Britain and America, because those powers would be sufferers by the consequences

Thirdly While we profess ourselves the subjects of Britain we must in the eye of foreign nations be considered as *rebels* The precedent is somewhat dangerous to their peace for men to be in arms under the name of subjects we on the *spot can solve* the paradox but to unite resistance and subjection requires an idea much too refined for common understanding

Fourthly Were a manifesto to be published and dispatched to foreign courts setting forth the miseries we have endured and the peaceable methods which we have ineffectually used for redress declaring at the same time that not being able any longer to live happily or safely under the cruel disposition of the British court,

[f] Those who would fully understand of what great consequence a large and equal representation is to a state should read Burgh's *Political Disquisitions* [James Burgh *Political Disquisitions or an Enquiry into Public Errors Defects and Abuses* 3 vols London 1774 5]

I have heretofore likewise mentioned the necessity of a large and equal representation and there is no political matter which more deserves our attention A small number of electors or a small number of representatives are equally dangerous But if the number of the representatives be not only small but unequal the danger is increased As an instance of this I mention the following when the associators petition was before the House of Assembly of Pennsylvania twenty eight members only were present all the Bucks County members being eight voted against it and had seven of the Chester members done the same this whole province had been governed by two counties only, and this danger it is always exposed to The unwarrantable stretch likewise which that house made in their last sitting to gain an undue authority over the delegates of that province ought to warn the people at large how they trust power out of their own hands A set of instructions for the delegates were put together which in point of sense and business would have dishonored a schoolboy and after being approved by a few—a very few—withoutdoors were carried into the house and there passed *in behalf of the whole colony*, whereas did the whole colony know with what ill will that house had entered on some necessary public measures they would not hesitate a moment to think them unworthy of such a trust

Immediate necessity makes many things convenient which if continued would grow into oppressions Expedience and right are different things When the calamities of America required a consultation there was no method so ready or at that time so proper as to appoint persons from the several houses of Assembly for that purpose and the wisdom with which they have proceeded has preserved this continent from ruin But as it is more than probable *that we shall never be without a Congress* every well wisher to good order must own that the mode for choosing members of that body deserves consideration And I put it as a question to those who make a study of mankind whether representation and election is not too great a power for one and the same body of men to possess? When we are planning for posterity we ought to remember that virtue is not hereditary

It is from our enemies that we often gain excellent maxims

general execration, both by the Congress and the people Yet, as the domestic tranquillity of a nation depends greatly on the *chastity* of what may properly be called "national manners" it is often better to pass some things over in silent disdain than to make use of such new methods of dislike as might introduce the least innovation on that guardian of our peace and safety And perhaps it is chiefly owing to this prudent delicacy that the King s speech has not before now suffered a public execution The speech if it may be called one is nothing better than a willful audacious libel against the truth the common good and the existence of mankind and is a formal and pompous method of offering up human sacrifices to the pride of tyrants But this general massacre of mankind is one of the privileges and the certain consequence of kings for as nature knows them *not* they know *not her*, and although they are beings of our *own* creating they know *not us*, and are become the gods of their creators The speech has one good quality which is that it is not calculated to deceive, neither can we even if we would be deceived by it Brutality and tyranny appear on the face of it It leaves us at no loss And every line convinces even in the moment of reading that *he who hunts the* woods for prey the naked and untutored Indian, is less savage than the king of Britain

Sir John Dalrymple the putative father of a whining jesuitical piece fallaciously called *The address of the people* of England *to the inhabitants* of America [26] has perhaps from a vain supposition that the people *here* were to be *frightened at the* pomp and description of a king given (though very unwisely on his part) the real character of the *present one* But says this writer, "if you are inclined to pay compliments to an administration which we do not complain of (meaning the Marquis of Rockingham s [27] at the repeal of the Stamp Act) it is very unfair in you to withhold them from that prince *by whose nod alone they were permitted to do anything* This is toryism with a witness! Here is idolatry even without a mask and *he* who can calmly hear and digest such doctrine has forfeited his claim to rationality—an apostate from the order of manhood—and *ought to* be considered as one who has not only given up the proper dignity of man, but sunk

we had been driven to the necessity of breaking off all connections with her, at the same time assuring all such courts of our peaceable disposition toward them and of our desire of entering into trade with them—such a memorial would produce more good effects to this continent than if a ship were freighted with petitions to Britain

Under our present denomination of British subjects, we can neither be received nor heard abroad, the custom of all courts is against us, and will be so until, by an independence, we take rank with other nations

These proceedings may at first appear strange and difficult, but like all other steps which we have already passed over will in a little time become familiar and agreeable, and until an independence is declared, the continent will feel itself like a man who continues putting off some unpleasant business from day to day, yet knows it must be done, hates to set about it, wishes it over, and is continually haunted with the thoughts of its necessity

Appendix

Since the publication of the first edition of this pamphlet or rather, on the same day on which it came out, the King's speech "[a] made its appearance in this city [a] Had the spirit of prophecy directed the birth of this production, it could not have brought it forth at a more seasonable juncture or at a more necessary time The bloody mindedness of the one shows[b] the necessity of pursuing the doctrine of the other Men read by way of revenge And the speech, instead of terrifying prepared a way for the manly principles of independence

Ceremony, and even silence, from whatever motive they may arise, have a hurtful tendency when they give the least degree of countenance to base and wicked performances wherefore if this maxim be admitted, it naturally follows that the King's speech as being a piece of finished villainy, deserved and still deserves a

[a] [Philadelphia.]
[b] [The New Edition has 'show"]

merce and not the conquest of America by which England is to be benefited and that would in a great measure continue were the countries as independent of each other as France and Spain, be cause in many articles neither can go to a better market But it is the independence of this country of Britain, or any other, which is now the main and only object worthy of contention, and which, like all other truths discovered by necessity, will appear clear and stronger every day

First, because it will come to that one time or other

Secondly, because the longer it is delayed, the harder it will be to accomplish

I have frequently amused myself both in public and private companies with silently remarking the specious errors of those who speak without reflecting And among the many which I have heard the following seems the most general viz, that had this rupture happened forty or fifty years hence instead of now the continent would have been more able to have shaken off the dependence To which I reply that our military ability, *at this time*, arises from the experience gained in the last war,[23] and which in forty or fifty years time would have been totally extinct The con tinent would not by that time have had a general or even a military officer left and we or those who may succeed us would have been as ignorant of martial matters as the ancient Indians and this single position closely attended to will unanswerably prove that the present time is preferable to all others The argument turns thus At the conclusion of the last war we had experience but wanted numbers and forty or fifty years hence we shall have numbers without experience wherefore the proper point of time must be some particular point between the two extremes in which a suffi ciency of the former remains and a proper increase of the latter is obtained And that point of time is the present time

The reader will pardon this digression as it does not properly come under the head I first set out with and to which I again re turn by the following position viz

Should aff— h—
governing ar

himself beneath the rank of animals, and contemptibly crawl through the world like a worm

However, it matters very little now what the King of England either says or does, he has wickedly broken through every moral and human obligation, trampled nature and conscience beneath his feet, and by a steady and constitutional spirit of insolence and cruelty procured for himself a universal hatred It is *now* the interest of America to provide for herself She has already a large and young family, whom it is more her duty to take care of than to be granting away her property to support a power who is become a reproach to the names of men and Christians—ye whose office it is to watch over the morals of a nation, of whatsoever sect or denomination ye are of, as well as ye who are more immediately the guardians of the public liberty, if ye wish to preserve your native country uncontaminated by European corruption ye must in secret wish a separation But leaving the moral part to private reflection, I shall chiefly confine my farther remarks to the following heads

First, that it is the interest of America to be separated from Britain

Secondly, which is the easiest and most practicable plan, reconciliation or independence? with some occasional remarks

In support of the first, I could, if I judged it proper, produce the opinion of some of the ablest and most experienced men on this continent, and whose sentiments on that head are not yet publicly known It is in reality a self-evident position for no nation in a state of foreign dependence limited in its commerce and cramped and fettered in its legislative powers can ever arrive at any material eminence America does not yet know what opulence is, and although the progress which she has made stands unparalleled in the history of other nations it is but childhood compared with what she would be capable of arriving at had she as she ought to have, the legislative powers in her own hands England is at this time proudly coveting what would do her no good were she to accomplish it, and the continent hesitating on a matter which will be her final ruin if neglected It is the com

merce and not the conquest of America by which England is to be benefited, and that would in a great measure continue were the countries as independent of each other as France and Spain, be cause in many articles neither can go to a better market But it is the independence of this country of Britain, or any other, which is now the main and only object worthy of contention, and which, like all other truths discovered by necessity, will appear clear and stronger every day

First, because it will come to that one time or other

Secondly, because the longer it is delayed, the harder it will be to accomplish

I have frequently amused myself both in public and private companies with silently remarking the specious errors of those who speak without reflecting And among the many which I have heard the following seems the most general, viz, that had this rupture happened forty or fifty years hence instead of now, the continent would have been more able to have shaken off the dependence To which I reply that our military ability, *at this time*, arises from the experience gained in the last war,[29] and which in forty or fifty years time would have been totally extinct The continent would not, by that time have had a general or even a *military officer* left and we or those who may succeed us, would have been as ignorant of martial matters as the ancient Indians, and this *single position* closely attended to, will unanswerably prove that the present time is preferable to all others The argument turns thus At the conclusion of the last war we had experience but wanted numbers and forty or fifty *years hence* we shall have numbers without experience wherefore the proper point of time must be some particular point between the two *extremes*, in which a suffi ciency of the former remains and a proper increase of the latter is obtained And that point of time is the present time

The reader will pardon this *digression* as it does not properly come under the head I first set out with and to wh ch I ...

... as matters are

as fancy or opinion presents Nothing is criminal, there is no such thing as treason, wherefore, everyone thinks himself at liberty to act as he pleases The Tories[30] dared not have assembled offensively had they known that their lives, by that act, were forfeited to the laws of the state A line of distinction should be drawn between English soldiers taken in battle and inhabitants of America taken in arms The first are prisoners, but the latter traitors The one forfeits his liberty, the other his head

Notwithstanding our wisdom, there is a visible feebleness in some of our proceedings which gives encouragement to dissensions The continental belt is too loosely buckled, and if something is not done in time, it will be too late to do anything and we shall fall into a state in which neither reconciliation nor independence will be practicable The king and his worthless adherents are got at their old game of dividing the continent, and there are not wanting among us printers who will be busy in spreading specious falsehoods The artful and hypocritical letter[31] which appeared a few months ago in two of the New York papers, and likewise in two others, is an evidence that there are men who want either judgment [or][1] honesty

It is easy getting into holes and corners and talking of reconciliation, but do such men seriously consider how difficult the task is, and how dangerous it may prove should the continent divide thereon? Do they take within their view all the various orders of men whose situation and circumstances, as well as their own, are to be considered therein? Do they put themselves in the place of the sufferer whose *all* is *already* gone and of the soldier who has quitted *all* for the defense of his country? If their ill judged moderation be suited to their own private situations only, regardless of others the event will convince them that "they are reckoning without their host"

Put us, says some, on the footing we were on in sixty three,[32] to which I answer the request is not now in the power of Britain to comply with, neither will she propose it, but if it were and even should be granted I ask, as a reasonable question, By what means is such a corrupt and faithless court to be kept to its engagements?

[1] [The New Edition has "and."]

Another Parliament, nay, even the present, may hereafter repeal *the obligation, on the pretense of its being violently obtained or* unwisely granted, and in that case where is our redress? No going to law with nations, cannon are the barristers of crowns, and the sword, not of *justice but of war, decides the suit* To be on the footing of sixty-three, it is not sufficient that the laws only be put in[1] the same state but that our circumstances likewise be put in[1] the same state, our burnt and destroyed towns repaired or built up, our private losses made good, our public debts (contracted for de fense) discharged, otherwise we shall be millions worse than we were at that enviable period Such a request, had it been complied with a year ago, would have won the heart and soul of the con tinent, but now it is too late "The Rubicon is passed"

Besides, the taking up arms merely to enforce the repeal of a *pecuniary law seems as unwarrantable by the divine law and as* repugnant to human feelings as the taking up arms to enforce obedience thereto The object, on either side, does not justify the means, for the lives of men are too valuable to be cast away on such trifles It is the violence which is done and threatened to our per sons, the destruction of our property by an armed force, the in vasion of our country by fire and sword which conscientiously qualifies the use of arms, and the instant in which such a mode of defense became necessary all subjection to Britain ought to have ceased, and the independence of America should have been con *sidered as dating its era from and published by the first musket that was fired against her* This line is a line of consistency, neither drawn by caprice nor extended by ambition, but produced by a chain of events of which the colonies were not the authors

I shall conclude these remarks with the following timely and well intended hints We ought to reflect that there are three differ ent ways by which an independence may hereafter be effected, and that *one* of those *three* will, one day or other, be the fate of America, viz, by the legal voice of the people in Congress, by a military power, or by a mob It may not always happen that our *soldiers are citizens and the multitude a body of reasonable men* virtue, as I have already remarked, is not hereditary, neither is it

[1] [The New Edition has 'on]

perpetual Should an independence be brought about by the first of those means, we have every opportunity and every encouragement before us to form the noblest, purest constitution on the face of the earth We have it in our power to begin the world over again A situation similar to the present has not happened since the days of Noah until now The birthday of a new world is at hand and a race of men, perhaps as numerous as all Europe contains are to receive their portion of freedom from the event of a few months The reflection is awful, and in this point of view how trifling how ridiculous, do the little paltry cavilings of a few weak or interested men appear when weighed against the business of a world

Should we neglect the present favorable and inviting period, and independence be hereafter effected by any other means, we must charge the consequence to ourselves, or to those rather whose narrow and prejudiced souls are habitually opposing the measure, without either inquiring or reflecting There are reasons to be given in support of independence which men should rather privately think of than be publicly told of We ought not now to be debating whether we shall be independent or not, but anxious to accomplish it on a firm, secure and honorable basis, and uneasy rather that it is not yet begun* upon Every day convinces us of its necessity Even the Tories (if such beings yet remain among us) should, of all men, be the most solicitous to promote it for as the appointment of committees at first protected them from popular rage, so a wise and well-established form of government will be the only certain means of continuing it securely to them Wherefore, if they have not virtue enough to be Whigs, they ought to have prudence enough to wish for independence

In short independence is the only bond that can tie and keep us together We shall then see our object and our ears will be legally shut against the schemes of an intriguing as well as a cruel enemy We shall then too be on a proper footing to treat with Britain for there is reason to conclude that the pride of that court will be less hurt by treating with the American states for terms of peace than with those whom she denominates 'rebellious subjects for

* [The New Edition has "b gan"]

terms of accommodation It is our delaying it that encourages her to hope for conquest, and our backwardness tends only to prolong the war As we have, without any good effect therefrom, withheld our trade to obtain a redress of our grievances, let us now try the alternative, by independently redressing them ourselves and then offering to open the trade The mercantile and reasonable part of England will be still with us, because peace with trade is preferable to war without it And if this offer be not accepted, other courts may be applied to

On these grounds I rest the matter And as no offer has yet been made to refute the doctrine contained in the former editions of this pamphlet, it is a negative proof that either the doctrine cannot be refuted or that the party in favor of it are too numerous to be opposed Wherefore, instead of gazing at each other with suspicious or doubtful curiosity, let each of us hold out to his neighbor the hearty hand of friendship and unite in drawing a line which like an act of oblivion, shall bury in forgetfulness every former dissension Let the names of Whig and Tory be extinct, and let none other be heard among us than those of *a good citizen, an open and resolute friend, and a virtuous supporter of the rights of mankind and of the free and independent states of America*

THE AMERICAN CRISIS

[ONE AND THIRTEEN]

THE AMERICAN CRISIS: I

THESE ARE THE TIMES that try men's souls The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country, but he that stands it *now* deserves the love and thanks of man and woman Tyranny, like hell, is not easily conquered yet we have this consolation with us that, the harder the conflict, the more glorious the triumph What we obtain too cheap we esteem too lightly, it is dearness only that gives everything its value Heaven knows how to put a proper price upon its goods and it would be strange indeed if so celestial an article as freedom should not be highly rated Britain, with an army to enforce her tyranny, has declared that she has a right (*not only to tax*) but *to bind us in all cases whatsoever,* [1] and if being *bound in that manner* is not slavery, then is there not such a thing as slavery upon earth Even the expression is impious, for so unlimited a power can belong only to God

Whether the independence of the continent was declared too soon or delayed too long I will not now enter into as an argument, my own simple opinion is that had it been eight months earlier, it would have been much better We did not make a proper use of last winter neither could we while we were in a dependent state However the fault if it were one was all our own,[*] we have none to blame but ourselves But no great deal is lost yet All that Howe has been doing for this month past is rather a ravage than a conquest which the spirit of the Jerseys,[2] a year ago, would have quickly repulsed, and which time and a little resolution will soon recover

I have as little superstition in me as any man living, but my

* The present wint...
fected the whole c...
that man does not
means of sacrifici...

secret opinion has ever been and still is that God Almighty will not give up a people to military destruction or leave them unsupportedly to perish who have so earnestly and so repeatedly sought to avoid the calamities of war by every decent method which wisdom could invent Neither have I so much of the infidel in me as to suppose that He has relinquished the government of the world and given us up to the care of devils, and as I do not I cannot see on what grounds the King of Britain can look up to heaven for help against us, a common murderer, a highwayman, or a housebreaker has as good a pretense as he

Tis surprising to see how rapidly a panic will sometimes run through a country All nations and ages have been subject to them Britain has trembled like an ague at the report of a French fleet *of flat bottomed boats, and in the fourteenth*[b] *century the whole* English army, after ravaging the kingdom of France, was driven back like men petrified with fear, and this brave exploit was per *formed by a few broken forces collected and headed by a woman* Joan of Arc Would that heaven might inspire some Jersey maid to spirit up her countrymen and save her fair fellow sufferers from ravage and ravishment! Yet panics in some cases have their uses, they produce as much good as hurt Their duration is always short the mind soon grows through them and acquires a firmer habit than before But their peculiar advantage is that they are the touchstones of sincerity and hypocrisy and bring things and men to light which might otherwise have lain forever undiscovered In fact, they have the same effect on secret traitors which an imaginary apparition would have upon a private murderer They sift out the hidden thoughts of man and hold them up in public to the world Many a disguised Tory has lately shown his head that shall penitentially solemnize with curses the day on which Howe arrived upon the Delaware

As I was with the troops at Fort Lee[3] and marched with them to the edge of Pennsylvania I am well acquainted with many circumstances which those who live at a distance know but little or nothing of Our situation there was exceedingly cramped the place being a narrow neck of land between the North River[4] and the

[b] [The fifteenth century]

Hackensack Our force was inconsiderable being not one fourth so great as Howe could bring against us We had no army at hand to have relieved the garrison had we shut ourselves up and stood on our defense Our ammunition, light artillery, and the best part of our stores had been removed on the apprehension that Howe would endeavor to penetrate the Jerseys in which case Fort Lee could be of no use to us for it must occur to every thinking man whether in the army or not that these kind of field forts are only for temporary purposes and last in use no longer than the enemy directs his force against the particular object which such forts are raised to defend Such was our situation and condition at Fort Lee on the morning of the twentieth of November, when an officer arrived with information that the enemy with two hundred boats had landed about seven miles above Major General Greene[5] who commanded the garrison immediately ordered them under arms and sent express to General Washington at the town of Hackensack distant by the way of the ferry=six miles Our first object was to secure the bridge over the Hackensack which laid up the river between the enemy and us about six miles from us and three from them General Washington arrived in about three quarters of an hour and marched at the head of the troops toward the bridge which place I expected we should have a brush for, [illegible]

I

bridge and the ferry and made their way through some marshy grounds up to the town of Hackensack and there passed the river We brought off as much baggage as the wagons could contain the rest was lost The simple object was to bring off the garrison and march them on till they could be strengthened by the Jersey or Pennsylvania militia so as to be enabled to make a stand. We stayed four days at Newark collected our *outposts* with some of the Jersey militia and marched out twice to meet the enemy on being informed that they were advancing though our numbers were greatly inferior to theirs Howe in my little opinion committed a great error in generalship in not throwing a body of forces off from Staten Island through *Amboy*, by which means he might

secret opinion has ever been and still is that God Almighty will not give up a people to military destruction or leave them unsupportedly to perish who have so earnestly and so repeatedly sought to avoid the calamities of war by every decent method which wisdom could invent Neither have I so much of the infidel in me as to suppose that He has relinquished the government of the world and given us up to the care of devils, and as I do not I cannot see on what grounds the King of Britain can look up to heaven for help against us, a common murderer, a highwayman, or a house breaker has as good a pretense as he

'Tis surprising to see how rapidly a panic will sometimes run through a country All nations and ages have been subject to them Britain has trembled like an ague at the report of a French fleet of flat bottomed boats, and in the fourteenth [b] century the whole English army, after ravaging the kingdom of France, was driven back like men petrified with fear and this brave exploit was performed by a few broken forces collected and headed by a woman Joan of Arc Would that heaven might inspire some Jersey maid to spirit up her countrymen and save her fair fellow sufferers from ravage and ravishment! Yet panics in some cases have their uses, they produce as much good as hurt Their duration is always short, the mind soon grows through them and acquires a firmer habit than before But their peculiar advantage is that they are the touchstones of sincerity and hypocrisy and bring things and men to light which might otherwise have lain forever undiscovered In fact, they have the same effect on secret traitors which an imaginary apparition would have upon a private murderer They sift out the hidden thoughts of man and hold them up in public to the world Many a disguised Tory has lately shown his head that shall penitentially solemnize with curses the day on which Howe arrived upon the Delaware

As I was with the troops at Fort Lee [3] and marched with them to the edge of Pennsylvania I am well acquainted with many circumstances which those who live at a distance know but little or nothing of Our situation there was exceedingly cramped the place being a narrow neck of land between the North River [4] and the

[b] [The fifteenth century]

enough to join him Howe is as much deceived by you as the American cause is injured by you He expects you will all take up arms and flock to his standard, with muskets on your shoulders Your opinions are of no use to him unless you support him personally, for 'tis soldiers and not Tories that he wants

I once felt all that kind of anger which a man ought to feel against the mean principles that are held by the Tories a noted one, who kept a tavern at Amboy, was standing at his door with as pretty a child in his hand, about eight or nine years old, as I ever saw, and after speaking his mind as freely as he thought was prudent finished with this unfatherly expression, "Well! give me peace in my day " Not a man lives on the continent but fully believes that a separation must some time or other finally take place, and a generous parent should have said, ' If there must be trouble, let it be in my day that my child may have peace,' and this single reflection, well applied is sufficient to awaken every man to duty Not a place upon earth might be so happy as America Her situation is remote from all the wrangling world, and she has nothing to do but to trade with them A man can distinguish himself between temper and principle, and I am as confident as I am that God governs the world that America will never be happy till she gets clear of foreign dominion Wars without ceasing will break out till that period arrives, and the continent must in the end be conqueror for though the flame of liberty may sometimes cease to shine the coal can never expire

America did not nor does not want force, but she wanted a proper application of that force Wisdom is not the purchase of a day and it is no wonder that we should err at the first setting off From an excess of tenderness we were unwilling to raise an army and trusted our cause to the temporary defense of a well meaning militia A summer's experience has now taught us better, yet with those troops while they were collected we were able to set bounds to the progress of the enemy and thank God! they are again assembling I always considered militia as the best troops in the world for a sudden exertion but they will not do for a long campaign Howe it is probable will make an attempt on this city, should he fail on this side of the Delaware, he is ruined If he

have seized all our stores at Brunswick and intercepted our march into Pennsylvania, but if we believe the power of hell to be limited, we must likewise believe that their agents are under some providential control.

I shall not now attempt to give all the particulars of our retreat to the Delaware; suffice it for the present to say that both officers and men, though greatly harassed and fatigued, frequently without rest, covering, or provision—the inevitable consequences of a long retreat—bore it with a manly and martial spirit. All their wishes centered in one, which was that the country would turn out and help them to drive the enemy back. Voltaire[6] has remarked that King William[7] never appeared to full advantage but in difficulties and in action; the same remark may be made on General Washington, for the character fits him. There is a natural firmness in some minds which cannot be unlocked by trifles, but which when unlocked, discovers a cabinet of fortitude; and I reckon it among those kind of public blessings which we do not immediately see that God has blessed him with uninterrupted health and given him a mind that can even flourish upon care.

I shall conclude this paper with some miscellaneous remarks on the state of our affairs; and shall begin with asking the following questions: Why is it that the enemy have left the New England provinces, and made these middle ones the seat of war? The answer is easy: New England is not infested with Tories, and we are. I have been tender in raising the cry against these men, and used numberless arguments to show them their danger, but it will not do to sacrifice a world either to their folly or their baseness. The period is now arrived in which either they or we must change our sentiments, or one or both must fall. And what is a Tory? Good God! what is he? I should not be afraid to go with a hundred Whigs against a thousand Tories, were they to attempt to get into arms. Every Tory is a coward; for a servile, slavish, self-interested fear is the foundation of Toryism; and a man under such influence, though he may be cruel, never can be brave.

But before the line of irrecoverable separation be drawn between us, let us reason the matter together: Your conduct is an invitation to the enemy, yet not one in a thousand of you has heart

and the back, the rich and the poor will suffer or rejoice alike The heart that feels not now is dead, the blood of his children will curse his cowardice who shrinks back at a time when a little might have saved the whole and made *them* happy I love the man that can smile in trouble, that can gather strength from distress and grow brave by reflection 'Tis the business of little minds to shrink, but he whose heart is firm and whose conscience approves his conduct will pursue his principles unto death My own line of reasoning is to myself as straight and clear as a ray of light Not all the treasures of the world, so far as I believe, could have induced me to support an offensive war, for I think it murder, but if a thief breaks into my house, burns and destroys my property, and kills or threatens to kill me or those that are in it and to bind me in all cases whatsoever to his absolute will am I to suffer it? What signifies it to me whether he who does it is a king or a common man, my countryman or not my countryman, whether it be done by an individual villain or an army of them? If we reason to the root of things, we shall find no difference, neither can any just cause be assigned why we should punish in the one case and pardon in the other Let them call me rebel and welcome I feel no concern from it but I should suffer the misery of devils were I to make a whore of my soul by swearing allegiance to one whose character is that of a sottish, stupid stubborn worthless brutish man I conceive likewise a horrid idea in receiving mercy from a being who at the last day, shall be shrieking to the rocks and mountains to cover him and fleeing with terror from the orphan the widow and the slain of America

There are cases which cannot be overdone by language, and this is one There are persons too who see not the full extent of the evil which threatens them they solace themselves with hopes that the enemy if he succeed, will be merciful It is the [illegible]

[illegible] of the fox is as murderous as the violence of the wolf and we ought to guard equally against both Howe's first object is partly by *threats and* partly by promises, to terrify or seduce the people to deliver up *their arms and receive mercy*

succeeds, our cause is not ruined He stakes all on his side against a part on ours, admitting he succeeds, the consequence will be that armies from both ends of the continent will march to assist their suffering friends in the middle states, for he cannot go every where, it is impossible I consider Howe as the greatest enemy the Tories have, he is bringing a war into their country, which had it not been for him and partly for themselves, they had been clear of Should he now be expelled, I wish with all the devotion of a Christian that the names of Whig and Tory may never more be mentioned, but should the Tories give him encouragement to come or assistance if he come, I as sincerely wish that our next year's arms may expel them from the continent, and the Congress appropriate their possessions to the relief of those who have suf fered in well doing A single successful battle next year will settle the whole America could carry on a two years' war by the con fiscation of the property of disaffected persons and be made happy by their expulsion Say not that this is revenge, call it rather the soft resentment of a suffering people who, having no object in view but the *good* of *all,* have staked their *own all* upon a seem ingly doubtful event Yet it is folly to argue against determined hardness eloquence may strike the ear and the language of sorrow draw forth the tear of compassion, but nothing can reach the heart that is steeled with prejudice

Quitting this class of men, I turn with the warm ardor of a friend to those who have nobly stood and are yet determined to stand the matter out, I call not upon a few but upon all—not on *this* state or *that* state but on *every* state—up and help us, lay your shoulders to the wheel better have too much force than too little when so great an object is at stake Let it be told to the future world that in the depth of winter when nothing but hope and virtue could survive, that the city and the country, alarmed at one common danger came forth to meet and to repulse it Say not that thousands are gone, turn out your tens of thousands, throw not the burden of the day upon Providence, but "show your faith by your works,"[9] that God may bless you It matters not where you live or what rank of life you hold, the evil or the bless ing will reach you all The far and the near, the home counties

may know it By perseverance and fortitude we have the prospect of a glorious issue, by cowardice and submission, the sad choice of a variety of evils—a ravaged country, a depopulated city, habitations without safety and slavery without hope, our homes turned into barracks and bawdy houses for Hessians,[12] and a future race to provide for whose fathers we shall doubt of Look on this picture and weep over it! and if there yet remains one thoughtless wretch who believes it not, let him suffer it unlamented

COMMON SENSE

December 23 1776[13]

The ministry recommended the same plan to Gage,[10] and this is what the Tories call making their peace, "a peace which passeth all understanding" *indeed!*[11] A peace which would be the immediate forerunner of a worse ruin than any we have yet thought of Ye men of Pennsylvania, do reason upon these things! Were the back counties to give up their arms, they would fall an easy prey to the Indians, who are all armed this perhaps is what some Tories would not be sorry for Were the home counties to deliver up their arms, they would be exposed to the resentment of the back counties, who would then have it in their power to chastise their defection at pleasure And were any one state to give up its arms, *that* state must be garrisoned by all Howe's army of Britons and Hessians to preserve it from the anger of the rest Mutual fear is the principal link in the chain of mutual love, and woe be to that state that breaks the compact Howe is mercifully inviting you to barbarous destruction, and men must be either rogues or fools that will not see it I dwell not upon the vapors of imagination I bring reason to your ears and, in language as plain as A, B, C, hold up truth to your eyes

I thank God that I fear not I see no real cause for fear I know our situation well and can see the way out of it While our army was collected Howe dared not risk a battle and it is no credit to him that he decamped from the White Plains and waited a mean opportunity to ravage the defenseless Jerseys but it is great credit to us that, with a handful of men, we sustained an orderly retreat for near a hundred miles brought off our ammunition all our field pieces the greatest part of our stores and had four rivers to pass None can say that our retreat was precipitate, for we were near three weeks in performing it, that the country might have time to come in Twice we marched back to meet the enemy and remained out till dark The sign of fear was not seen in our camp and had not some of the cowardly and disaffected inhabitants spread false alarms through the country the Jerseys had never been ravaged Once more we are again collected and collecting, our new army at both ends of the continent is recruiting fast, and we shall be able to open the next campaign with sixty thousand men, well armed and clothed This is our situation, and who will

Never, I say, had a country so many openings to happiness as this Her setting out in life, like the rising of a fair morning, was unclouded and promising Her cause was good Her principles just and liberal Her temper serene and firm Her conduct regulated by the nicest steps, and everything about her wore the mark of honor It is not every country (perhaps there is not another in the world) that can boast so fair an origin Even the first settlement of America corresponds with the character of the revolution Rome, once the proud mistress of the universe, was originally a band of ruffians Plunder and rapine made her rich, and her oppression of millions made her great But America need never be ashamed to tell her birth, nor relate the stages by which she rose to empire

The remembrance, then, of what is past, if it operates rightly, must inspire her with the most laudable of all ambition, that of adding to the fair fame she began with The world has seen her great in adversity struggling, without a thought of yielding, beneath accumulated difficulties, bravely, nay proudly, encountering distress and rising in resolution as the storm increased All this is justly due to her, for her fortitude has merited the character Let then the world see that she can bear prosperity and that her honest virtue in time of peace is equal to the bravest virtue in time of war

She is now descending to the scenes of quiet and domestic life Not beneath the cypress shade of disappointment, but to enjoy in her own land and under her own vine the sweet of her labors and the reward of her toil In this situation, may she never forget that a fair national reputation is of as much importance as independence That it possesses a charm that wins upon the world and makes even enemies civil That it gives a dignity which is often superior to power, and commands reverence where pomp and splendor fail

It would be a circumstance ever to be lamented and never to be forgotten were a single blot from any cause whatever, suffered to fall on a revolution which to the end of time must be an honor to the age that accomplished it, and which has contributed more to enlighten the world and diffuse a spirit of freedom and lib

THE AMERICAN CRISIS XIII

THOUGHTS ON THE PEACE AND THE PROBABLE ADVANTAGES THEREOF

"THE TIMES that tried men's souls" [a] are over, and the greatest and completest revolution the world ever knew gloriously and happily accomplished

But to pass from the extremes of danger to safety, from the tumult of war to the tranquillity of peace, though sweet in contemplation, requires a gradual composure of the senses to receive it Even calmness has the power of stunning, when it opens too instantly upon us The long and raging hurricane that should cease in a moment would leave us in a state rather of wonder than enjoyment, and some moments of recollection must pass before we could be capable of tasting the felicity of repose There are but few instances in which the mind is fitted for sudden transitions, it takes in its pleasures by reflection and comparison, and those must have time to act before the relish for new scenes is complete

In the present case, the mighty magnitude of the object the various uncertainties of fate it has undergone, the numerous and complicated dangers we have suffered or escaped, the eminence we now stand on, and the vast prospect before us must all conspire to impress us with contemplation

To see it in our power to make a world happy, to teach mankind the art of being so, to exhibit on the theater of the universe a character hitherto unknown, and to have, as it were, a new creation entrusted to our hands are honors that command reflection and can neither be too highly estimated nor too gratefully received

In this pause then of recollection, while the storm is ceasing and the long agitated mind vibrating to a rest, let us look back on the scenes we have passed and learn from experience what is yet to be done

[a] These are the times that try mens souls" *The Crisis No I*, published December 1776 [See p 55]

With the blessings of peace, independence, and a universal commerce, the states, individually and collectively, will have leisure and opportunity to regulate and establish their domestic concerns and to put it beyond the power of calumny to throw the least reflection on their honor Character is much easier kept than recovered, and that man—if any such there be—who, from sinister views or littleness of soul, lends unseen his hand to injure it contrives a wound it will never be in his power to heal

As we have established an inheritance for posterity, let that *inheritance descend with every mark of an honorable conveyance* The little it will cost, compared with the worth of the states, the greatness of the object, and the value of the national character, will be a profitable exchange

But that which must more forcibly strike a thoughtful, penetrating mind, and which includes and renders easy all inferior concerns is the *union of the states* On this our great national character depends It is this which must give us importance abroad and security at home It is through this only that we are or

---

wisdom be strongly impressed with the advantage as well as the necessity of strengthening that happy union which had been our salvation and without which we should have been a ruined peopl

While I was writing this note I cast my eye on the pamphlet *Common Sense* from which I shall make an extract as it exactly applies to the case It is as follows

"I have never me[illegible]
confessed it as h[illegible]
place one time or [illegible]
judgment than in [illegible]
the continent for [illegible]
[illegible]
let [illegible]
de [illegible] but we need not to go far, the inquiry ceases at once for *the time has found us* The general concurrence, the glorious union of all things prove the fact.

"It is not in numbers but in a union that [illegible]

erality among mankind than any human event (if this may be called one) that ever preceded it

It is not among the least of the calamities of a long-continued war that it unhinges the mind from those nice sensations which at other times appear so amiable The continual spectacle of woe blunts the finer feelings, and the necessity of bearing with the *sight renders it familiar In like manner are many of the moral* obligations of society weakened, till the custom of acting by necessity becomes an apology where it is truly a crime Yet let but a nation conceive rightly of its character, and it will be chastely just in protecting it None ever began with a fairer than America and none can be under a greater obligation to preserve it

The debt which America has contracted, compared with the cause she has gained, and the advantages to flow from it, ought scarcely to be mentioned She has it in her choice to do and to live as happily as she pleases The world is in her hands She has no foreign power to monopolize her commerce, perplex her legislation, or control her prosperity The struggle is over, which must one day have happened, and perhaps, never could have happened at a better time[b] *And instead of a domineering master*, she has gained an *ally* whose exemplary greatness and universal liberality have extorted a confession even from her enemies

[b] That the revolution began at the exact period of time best fitted to the purpose is sufficiently proved by the event But the great hinge on which the whole machine turned is the union of the states and this union was naturally produced by the inability of any one state to support itself against any foreign enemy without the assistance of the rest

Had the states severally been less able than they were when the war began *their united strength would not have been equal to the undertaking* and they must in all human probability have failed And on the other hand had they severally been more able they might not have seen or what is more might not have felt the necessity of uniting and either by attempting to stand alone or in small confederacies would have been separately conquered

Now as we cannot see a time (and many years must pass away before it can arrive) when the strength of any one state or several united can be equal to the whole of the present United States and as we have seen the extreme difficulty of collectively prosecuting the war to a successful issue and preserving our national importance in the world therefore from the experience we have had and the knowledge we have gained we must unless we make a waste of

With the blessings of peace independence and a universal commerce the states individually and collectively will have leisure and opportunity to regulate and establish their domestic concerns and to put it beyond the power of calumny to throw the least reflection on their honor Character is much easier kept than recovered and that man—if any such there be—who from sinister views or littleness of soul lends unseen his hand to injure it contrives a wound it will never be in his power to heal

As we have established an inheritance for posterity let that inheritance descend with every mark of an honorable conveyance The little it will cost compared with the worth of the states the greatness of the object and the value of the national character will be a profitable exchange

But that which must more forcibly strike a thoughtful penetrating mind and which includes and renders easy all inferior concerns is the *union of the states* On this our great national character depends It is this which must give us importance abroad and security at home It is through this only that we are or

---

wisdom be strongly impressed with the advantage as well as the necessity of strengthening that happy union which had been our salvation and without which we should have been a ruined people

While I was writing this note I cast my eye on the pamphlet, *Common Sense* from which I shall make an extract as it exactly applies to the case It is as follows

"I have never met w h a m n h [illegible]
confes [illegible]
place [illegible]
udgm [illegible]
the co [illegible]

"As all men allow the measure and differ only in their opinion of the time let us, in order to remove mistakes take a general survey of things and endeavor if possible to find out the very time But we need not to go far the inquiry ceases at once for *the time has found us* The general concurrence the glorious union of all things prove the fact

"It is not in numbers but in a union that our gre [illegible]

[illegible] on Sense as given on pages 34 f. of this edition apparently represent Paine's improvement on this earlier work.]

can be nationally known in the world, it is the flag of the United States which renders our ships and commerce safe on the seas or in a foreign port Our Mediterranean passes must be obtained under the same style All our treaties, whether of alliance, peace or commerce, are formed under the sovereignty of the United States, and Europe knows us by no other name or title

The division of the empire into states is for our own convenience, but abroad this distinction ceases The affairs of each state are local They can go no further than to itself And were the whole worth of even the richest of them expended in revenue, it would not be sufficient to support sovereignty against a foreign attack In short, we have no other national sovereignty than as United States *It would even be fatal for us if we had*—too expensive to be maintained and impossible to be supported Individuals or individual states may call themselves what they please, but the world, and especially the world of enemies, is not to be held in awe by the whistling of a name Sovereignty must have power to protect all the parts that compose and constitute it, and as *United States* we are equal to the importance of the title, *but otherwise we are not* *Our union, well and wisely regulated* and cemented, is the cheapest way of being great, the easiest way of being powerful, and the happiest invention in government which the circumstances of America can admit of Because it *collects from each state that which, by being inadequate, can be* of no use to it, and forms an aggregate that serves for all

The states of Holland are an unfortunate instance of the effects of *individual sovereignty* *Their disjointed condition* exposes them to numerous intrigues, losses, calamities, and enemies, and the almost impossibility of bringing their measures to a decision, and that decision into execution, is to them, and would be to us, a source of endless misfortune

It is with confederated states as with individuals in society something must be yielded up to make the whole secure In this view of things we gain by what we give and draw an annual interest greater than the capital I ever feel myself hurt when I hear the union, that great palladium of our liberty and safety, the least irreverently spoken of It is the most sacred thing in the

constitution of America and that which every man should be most proud and tender of Our citizenship in the United States is our national character Our citizenship in any particular state is only our local distinction By the latter we are known at home, by the former to the world Our great title is *Americans*, our inferior one varies with the place

So far as my endeavors could go, they have all been directed to conciliate the affections, unite the interests, and draw and keep the mind of the country together, and the better to assist in this foundation work of the revolution, I have avoided all places of profit or office, either in the state I live in or in the United States,[1] kept myself at a distance from all parties and party connections, and even disregarded all private and inferior concerns, and when we take into view the great work which we have gone through and feel, as we ought to feel the just importance of it, we shall then see that the little wranglings and indecent contentions of personal parley are as di honorable to our characters as they are injurious to our repose

It was the cause of America that made me an author The force with which it struck my mind and the dangerous condition the country appeared to me in, by courting an impossible and an unnatural reconciliation with those who were determined to reduce her, instead of striking out into the only line that could cement and save her—*a declaration of independence*—made it impossible for me, feeling as I did to be silent and f . .
of more than seven
likewise added some
and disinterestedly employing it in the great cause of mankind and showing that there may be genius without prostitution

Independence always appeared to me practicable and probable, provided the sentiment of the . .
to the object and there is r
so extended and wedded tc
such a variety of circumstances were so instantly and effectually pervaded by a turn in politics as in the case of independence, and who supported their opinion, undiminished, through such a succession of good and ill fortune till they crowned it with success

But as the scenes of war are closed and every man preparing for home and happier times, I therefore take my leave of the subject I have most sincerely followed it from beginning to end and through all its turns and windings, and whatever country I may hereafter be in, I shall always feel an honest pride at the part I have taken and acted, and a gratitude to nature and providence for putting it in my power to be of some use to mankind

COMMON SENSE

Philadelphia, April 19, 1783 [2]

RIGHTS OF MAN

SELECTIONS FROM
PARTS ONE AND TWO

RIGHTS OF MAN

PART ONE

TO GEORGE WASHINGTON

PRESIDENT OF THE UNITED STATES OF AMERICA

SIR, I present you a small treatise in defense of those principles of freedom which your exemplary virtue has so eminently contributed to establish That the rights of man may become as universal as your benevolence can wish, and that you may enjoy the happiness of seeing the New World regenerate the Old, is the prayer of,

Sir,
Your much obliged and
obedient humble servant,
Thomas Paine

[OF THE LIMITS OF CONSTITUTIONAL LAW]

AMONG THE INCIVILITIES by which nations or individuals provoke and irritate each other, Mr Burke's pamphlet on the French Revolution is an extraordinary instance Neither the people of France nor the National Assembly were troubling themselves about the affairs of England or the English Parliament, and that Mr Burke should commence an unprovoked attack upon them, both in Parliament and in public, is a conduct that cannot be pardoned on the score of manners nor justified on that of policy There is scarcely an epithet of abuse to be found in the English language with which Mr Burke has not loaded the French nation and the National Assembly Everything which rancor, prejudice, ignorance, or knowledge could suggest are poured forth in the copious fury of near four hundred pages In the strain and on the plan Mr Burke was writing, he might have written on to as many thousands When the tongue or the pen is let loose in a frenzy of passion, it is the man and not the subject that becomes exhausted

Hitherto Mr Burke has not been mistaken and disappointed in the opinions he had formed of the affairs of France, but such is the ingenuity of his hope, or the malignancy of his despair, that it furnishes him with new pretenses to go on There was a time when it was impossible to make Mr Burke believe there would be any revolution in France His opinion then was that the French had neither spirit to undertake it nor fortitude to support it, and now that there is one he seeks an escape by condemning it

Not sufficiently content with abusing the National Assembly, a great part of his work is taken up with abusing Dr Price [1] (one of the best hearted men that lives) and the two societies in England known by the name of the Revolution Society and the Society for Constitutional Information [2]

Dr Price had preached a sermon on the fourth of November, 1789, being the anniversary of what is called in England the Revolution, which took place in 1688 Mr Burke, speaking of this sermon, says,

The political divine proceeds dogmatically to assert that, by the principles of the Revolution the people of England have acquired three fundamental rights

1 To choose our own governors
2 To cashier them for misconduct
3 To frame a government for ourselves

Dr Price does not say that the right to do these things exists in this or in that person or in this or in that description of persons but that it exists in the *whole*, that it is a right resident in the nation Mr Burke on the contrary denies that such a right exists in the nation either in whole or in part or that it exists anywhere and what is still more strange and marvelous he says that the people of England utterly disclaim such a right, and that they will resist the practical assertion of it with their lives and fortunes

That men should take up arms and spend their lives and fortunes *not* to maintain their rights but to maintain they have *not* rights is an entirely new species of discovery and suited to the paradoxical genius of Mr Burke

The method which Mr Burke takes to prove that the people of England had no such rights and that such rights do not now exist in the nation either in whole or in part or anywhere at all *is of the* same marvelous and monstrous kind with what he has already said for his arguments are that the persons or the generation of persons in whom they did exist are dead and with them the *right* is dead also

To prove this he quotes a declaration made by Parliament about a hundred years ago to William and Mary, in *these words* The Lords Spiritual and Temporal and Commons, do, in the name of the *people aforesaid* (meaning the people of England then living) most humbly and faithfully *submit* themselves their *heirs* and *posterities forever* He also quotes a clause of another act of Parliament made in the *same reign* the terms of which he says "bind us (meaning the people of that day), 'our *heirs* and our *posterity*, to *them* their *heirs* and *posterity*, to the end of time

Mr Burke conceives his point sufficiently established by pro

ducing these clauses, which he enforces by saying that they exclude the right of the nation *forever* And not yet content with making such declarations, repeated over and over again, he further says "that if the people of England possessed such a right before the Revolution" (which he acknowledges to have been the case, not only in England but throughout Europe, at an early period), "yet that the *English nation* did, at the time of the Revolution, most solemnly renounce and abdicate it, for themselves, and for *all their posterity, forever*"

As Mr Burke occasionally applies the poison drawn from his horrid principles, not only to the English nation, but to the French Revolution and the National Assembly, and charges that august illuminated, and illuminating body of men with the epithet of "usurpers," I shall, *sans cérémonie*, place another system of principles in opposition to his

The English Parliament of 1688 did a certain thing which, for *themselves and their constituents, they had a right to do* and which it appeared right should be done But in addition to this right, which they possessed by delegation, *they set up another right by assumption,* that of binding and controlling posterity to the end of time

The case, therefore, divides itself into two parts the right which they possessed by delegation, and the right which they set up by assumption The first is admitted, but with respect to the second, I reply

There never did, there never will, and there never can exist a Parliament, or any description of men, or any generation of men, in any country, possessed of the right or the power of binding and controlling posterity to the 'end of time' or of commanding forever how the world shall be governed or who shall govern *it*, and therefore all such clauses acts, or declarations by which the makers of them attempt to do what they have neither the right nor the power *to do, nor the power to execute*, are in themselves null and void

Every age and generation must be as free to act for itself, *in all cases*, as the ages and generation which preceded it The vanity

and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies

Man has no property in man, neither has any generation a property in the generations which are to follow The Parliament or the people of 1688, or of any other period, had no more right to dispose of the people of the present day, or to bind or to control them *in any shape whatever*, than the Parliament or the people of the present day have to dispose of, bind, or control those who are to live a hundred or a thousand years hence

Every generation is and must be competent to all the purposes which its occasions require It is the living, and not the dead, that are to be accommodated When man ceases to be, his power and his wants cease with him, and having no longer any participation in the concerns of this world, he has no longer any authority in directing who shall be its governors, or how its government shall be organized or how administered

I am not contending for nor against any form of government, nor for nor against any party here or elsewhere That which a whole nation chooses to do it has a right to do Mr Burke says, No Where then does the right exist? I am contending for the *rights of the living*, and against their being willed away and controlled and contracted for by the manuscript assumed authority of the dead, and Mr Burke is contending for the *authority of the dead* over the rights and freedom of the living

There was a time when kings disposed of their crowns by will upon their deathbeds and consigned the people, like beasts of the field, to whatever successor they appointed This is *now so* exploded as scarcely to be remembered and so monstrous as hardly to be believed But the parliamentary *clauses* upon which Mr Burke builds his political church are of the same nature

The laws of every country must be analogous to some common principle In England, no parent or master, nor all the authority

Those who have quitted the world and those who are not yet arrived in it are as remote from each other as the utmost stretch of moral imagination can conceive What possible obligation then can exist between them, what rule or principle can be laid down that two nonentities, the one out of existence and the other not in and who never can meet in this world, that the one should control the other to the end of time?

In England, it is said that money cannot be taken out of the pockets of the people without their consent But who authorized or who could authorize the Parliament of 1688 to control and take away the freedom of posterity, and limit and confine their right of acting in certain cases forever, who were not in existence to give or to withhold their consent?

A greater absurdity cannot present itself to the understanding of man than what Mr Burke offers to his readers He tells them and he tells the world to come that a certain body of men who existed a hundred years ago made a law and that there does not now exist in the nation nor ever will nor ever can, a power to alter it Under how many subtilties or absurdities has the divine right to govern been imposed on the credulity of mankind! Mr Burke has discovered a new one and he has shortened his journey to Rome by appealing to the power of this infallible Parliament of former days and he produces what it has done as of divine authority for that power must certainly be more than human which no human power to the end of time can alter

But Mr Burke has done some service not to his cause but to his country by bringing those clauses into public view They serve to demonstrate how necessary it is at all times to watch against the attempted encroachment of power and to prevent its running to excess

It is somewhat extraordinary that the offense for which James II[3] was expelled, that of setting up power by *assumption* should be re acted under another shape and form by the Parliament that expelled him It shows that the rights of man were but imperfectly understood at the Revolution for certain it is that the right which that Parliament set up by *assumption* (for by delegation it had it not, and could not have it because none could give it) over

the persons and freedom of posterity forever was the same tyrannical unfounded kind which James attempted to set up over the Parliament and the nation, and for which he was expelled

The only difference is (for in principle they differ not) that the one was a usurper over the living and the other over the unborn, and as the one has no better authority to stand upon than the other, both of them must be equally null and void, and of no effect

From what, or from whence, does Mr Burke prove the right of any human power to bind posterity forever? He has produced his clauses, but he must produce also his proofs that such a right existed and show how it existed If it ever existed, it must now exist, for whatever appertains to the nature of man cannot be annihilated by man

It is the nature of man to die and he will continue to die as long as he continues to be born But Mr Burke has set up a sort of political Adam in whom all posterity are bound forever, he must therefore prove that his Adam possessed such a power or such a right

The weaker any cord is the less it will bear to be stretched and the worse is the policy to stretch it unless it is intended to break it Had a person contemplated the overthrow of Mr Burke s positions he would have proceeded as Mr Burke has done He would have magnified the authorities on purpose to have called the *right* of them into question and the instant the question of right was started the authorities must have been given up

It requires but a very small glance of thought to perceive that although laws made in one generation often continue in force through succeeding generations yet they continue to derive their force from the consent of the living A law not repealed continues in force not because it cannot be repealed, but because it is not repealed and the nonrepealing passes for consent

But Mr Burke s clauses have not even this qualification in their favor They become null by attempting to become immortal The nature of them precludes consent They destroy the right which they *might* have by grounding it on a right which they *cannot* have Immortal power is not a human right, and therefore cannot be a right of Parliament

Those who have quitted the world and those who are not yet arrived in it are as remote from each other as the utmost stretch of moral imagination can conceive. What possible obligation, then, can exist between them; what rule or principle can be laid down that two nonentities, the one out of existence and the other not in, and who never can meet in this world, that the one should control the other to the end of time?

In England, it is said that money cannot be taken out of the pockets of the people without their consent But who authorized or who could authorize, the Parliament of 1688 to control and take away the freedom of posterity, and limit and confine their right of acting in certain cases forever, who were not in existence to give or to withhold their consent?

A greater absurdity cannot present itself to the understanding of man than what Mr Burke offers to his readers He tells them, and he tells the world to come, that a certain body of men, who existed a hundred years ago, made a law, and that there does not now exist in the nation, nor ever will, nor ever can, a power to alter it Under how many subtilties or absurdities has the divine right to govern been imposed on the credulity of mankind! Mr Burke has discovered a new one, and he has shortened his journey to Rome by appealing to the power of this infallible Parliament of former days, and he produces what it has done as of divine authority, for that power must certainly be more than human which no human power to the end of time can alter

But Mr Burke has done some service not to his cause, but to his country, by bringing those clauses into public view They serve to demonstrate how necessary it is at all times to watch against the attempted encroachment of power and to prevent its running to excess

It is somewhat extraordinary that the offense for which James II [3] was expelled, that of setting up power by *assumption*, should be re acted, under another shape and form by the Parliament that expelled him It shows that the rights of man were but imperfectly understood at the Revolution, for certain it is that the right which that Parliament set up by *assumption* (for by delegation it had it not, and could not have it because none could give it) over

does, then he must mean that there are no such things as rights anywhere and that he has none himself, for who is there in the world but man? But if Mr Burke means to admit that man has rights, the question then will be, what are those rights, and how came man by them originally?

The error of those who reason by precedents drawn from antiquity, respecting the rights of man, is that they do not go far enough into antiquity They do not go the whole way They stop in some of the intermediate stages of a hundred or a thousand years and produce what was then done as a rule for the present day This is no authority at all

If we travel still further into antiquity, we shall find a directly contrary opinion and practice prevailing, and if antiquity is to be authority, a thousand such authorities may be produced, successively contradicting each other, but if we proceed on, we shall at last come out right we shall come to the time when man came from the hand of his Maker What was he then? Man Man was his high and only title, and a higher cannot be given him But of titles I shall speak hereafter

We have now arrived at the origin of man and at the origin of his rights As to the manner in which the world has been governed from that day to this it is no further any concern of ours than to make a proper use of the errors or the improvements which the history of it presents Those who lived a hundred or a thousand years ago were then moderns as we are now They had *their* ancients, and those ancients had others, and we also shall be ancients in our turn

If the mere name of antiquity is to govern in the affairs of life, the people who are to live a hundred or a thousand years hence may as well take us for a precedent, as we make a precedent of those who lived a hundred or a thousand years ago

The fact is that portions of antiquity, by proving everything, establish nothing It is authority against authority all the way, till we come to the divine origin of the rights of man at the creation Here our inquiries find a resting place and our reason finds a home

If a dispute about the rights of man had arisen at a distance of

The Parliament of *1688* might as well have passed an act to have authorized themselves to live forever as to make their authority to live forever All therefore that can be said of them is that they are a formality of words, of as much import as if those who used them had addressed a congratulation to themselves and in the oriental style of antiquity, had said, O Parliament, live forever'

The circumstances of the world are continually changing and the opinions of men change also, and as government is for the living and not for the dead, it is the living only that has any right in it That which may be thought right and found convenient in one age may be thought wrong and found inconvenient in another In such cases, who is to decide, the living or the dead?

As almost one hundred pages of Mr Burke's book are employed upon these clauses, it will consequently follow that if the clauses themselves, so far as they set up an *assumed, usurped* dominion over posterity forever are unauthoritative and in their nature null and void, that all his voluminous inferences and declamation drawn therefrom or founded thereon are null and void also and on this ground I rest the matter

[OF THE NATURAL AND CIVIL RIGHTS OF MAN]

I have now to follow Mr Burke through a pathless wilderness of rhapsodies and a sort of descant upon governments, in which he asserts whatever he pleases on the presumption of its being believed without offering either evidence or reasons for so doing

Before anything can be reasoned upon to a conclusion certain facts principles, or data to reason from must be established admitted or denied Mr Burke, with his usual outrage abuses the Declaration of the Rights of Man,[a] published by the National Assembly of France as the basis on which the Constitution of France is built This he calls '*paltry and blurred sheets of paper* about the rights of man

Does Mr Burke mean to deny that *man* has any rights? If he

[a] *[See pp 96 ff]*

does, then he must mean that there are no such things as rights anywhere and that he has none himself, for who is there in the world but man? But if Mr Burke means to admit that man has rights, the question then will be, what are those rights, and how came man by them originally?

The error of those who reason by precedents drawn from antiquity, respecting the rights of man, is that they do not go far enough into antiquity They do not go the whole way They stop in some of the intermediate stages of a hundred or a thousand years and produce what was then done as a rule for the present day This is no authority at all

If we travel still further into antiquity, we shall find a directly contrary opinion and practice prevailing, and if antiquity is to be authority, a thousand such authorities may be produced, successively contradicting each other, but if we proceed on, we shall at last come out right we shall come to the time when man came from the hand of his Maker What was he then? Man Man was his high and only title, and a higher cannot be given him But of titles I shall speak hereafter

We have now arrived at the origin of man and at the origin of his rights As to the manner in which the world has been governed from that day to this, it is no further any concern of ours than to *make* a proper use of the errors or the improvements which the history of it presents Those who lived a hundred or a thousand *years* ago were then moderns as we are now They had *their* ancients, and those ancients had others, and we also shall be ancients in our turn

If the mere name of antiquity is to govern in the affairs *of life*, the people who are to live a hundred or a thousand years hence may *as well take us* for a precedent, as we make a precedent of those who lived a hundred or a thousand years *ago*

The fact is that portions of antiquity, by *proving* everything, establish nothing It is authority against *authority* all the way, till we come to the divine origin of the rights of man at the creation Here our inquiries find a resting place and our reason finds a home

If a dispute about the rights of man had arisen at a distance of

a hundred years from the creation, it is to this source of authority they must have referred, and it is to the same source of authority that we must now refer

Though I mean not to touch upon any sectarian principle of religion, yet it may be worth observing that the genealogy of Christ is traced to Adam Why then not trace the rights of man to the creation of man? I will answer the question Because there have been upstart governments thrusting themselves between and presumptuously working to *unmake* man

If any generation of men ever possessed the right of dictating the mode by which the world should be governed forever, it was *the first generation that existed* and *if that generation did it not* no succeeding generation can show any authority for doing it nor can set any up

The illuminating and divine principle of the equal rights of man (for it has its origin from the Maker of man) relates not only to the living individuals but to generations of men succeeding each other Every generation is equal in rights to the generations which preceded it by the same rule that every individual is born equal in rights with his contemporary

Every history of the creation and every traditionary account whether from the lettered or unlettered world however they may vary in their opinion or belief of certain particulars all agree in establishing one point *the unity of man* by which I mean that men are all of *one degree,* and consequently that all men are born *equal and with equal natural rights* in the same manner as if posterity had been continued by *creation* instead of *generation* the latter being only the mode by which the former is carried forward and consequently every child born into the world must be considered as deriving its existence from God The world is as new to him as it was to the first man that existed and his natural right in it is of the same kind

The Mosaic account of the creation whether taken as divine authority or merely historical is fully up to this point *the unity or equality of man* The expressions admit of no controversy And God said let us make man in our own image In the image of God created he him, male and female created he them The distinction

of sexes is pointed out, but no other distinction is even implied If this be not divine authority, it is at least historical authority and shows that the equality of man, so far from being a modern doctrine, is the oldest upon record

It is also to be observed that all the religions known in the world are founded, so far as they relate to man, on the *unity of man*, as being all of one degree Whether in heaven or in hell, or in whatever state man may be supposed to exist hereafter, the good and the bad are the only distinctions Nay, even the laws of governments are obliged to slide into this principle, by making degrees to consist in crimes and not in persons

It is one of the greatest of all truths and of the highest advantage to cultivate By considering man in this light, and by instructing him to consider himself in this light it places him in a close connection with all his duties whether to his Creator or to the creation of which he is a part and it is only when he forgets his origin or, to use a more fashionable phrase, his *birth and family*, that he becomes dissolute

It is not among the least of

ernmen

thrown

chasm

gates through which he has to pass

I will quote Mr Burke s catalogue of barriers that he has set up between man and his Maker Putting himself in the character of a herald he says We fear God we look with *awe* to kings, with affection to parliaments with duty to magistrates, with reverence to priests and with respect to nobility Mr Burke has forgotten to put in chivalry He has also forgotten to put in Peter

The d

but they will be despised and with regard to those to whom no power is delegated, but who assume it, the rational world can know nothing of them

Hitherto we have spoken only (and that but in part) of the natural rights of man We have now to consider the civil rights of man and to show how the one originates from the other Man did not enter into society to become *worse* than he was before, nor to have fewer rights than he had before, but to have those rights better secured His natural rights are the foundation of all his civil rights But in order to pursue this distinction with more precision it is necessary to make the different qualities of natural and civil rights

A few words will explain this Natural rights are those which appertain to man in right of his existence Of this kind are all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness which are not injurious to the natural rights of others Civil rights are those which appertain to man in right of his being a member of society

Every civil right has for its foundation some natural right pre existing in the individual, but to the enjoyment of which his individual power is not in all cases sufficiently competent Of this kind are all those which relate to security and protection

From this short review it will be easy to distinguish between that class of natural rights which man retains after entering into society and those which he throws into the common stock as a member of society

The natural rights which he retains are all those in which the *power* to execute is as perfect in the individual as the right itself Among this class, as is before mentioned are all the intellectual rights, or rights of the mind consequently religion is one of those rights

The natural rights which are not retained are all those in which though the right is perfect in the individual the power to execute them is defective They answer not his purpose A man by natural right has a right to judge in his own cause and so far as the right of the mind is concerned he never surrenders it but what avails it him to judge if he has not power to redress? He therefore de posits his right in the common stock of society and takes the arm of society, of which he is a part, in preference and in addition to

his own Society *grants* him nothing Every man is proprietor in society and draws on the capital as a matter of right

From these premises, two or three certain conclusions will follow

First, that every civil right grows out of a natural right, or, in other words, is a natural right exchanged

Secondly, that civil power, properly considered as such, is made up of the aggregate of that class of the natural rights of man which becomes defective in the individual in point of power and answers not his purpose, but when collected to a focus becomes competent to the purpose of everyone

Thirdly, that the power produced from the aggregate of natural rights imperfect in power in the individual, cannot be applied to invade the natural rights which are retained in the individual and in which the power to execute is as perfect as the right itself

We have now, in a few words, traced man from a natural individual to a member of society and shown, or endeavored to show, the quality of the natural rights retained and those which are exchanged for civil rights Let us now apply those principles to governments

[Of the Nature of Government]

In casting our eyes over the world, it is extremely easy to distinguish the governments which have arisen out of society, or out of the social compact from those which have not, but to place this in a clearer light than what a single glance may afford, it will be proper to take a review of the several sources from which the governments have arisen and on which they have been founded

They may be all comprehended under three heads *First*, superstition *Secondly* power *Thirdly* the common interests of society and the common rights of man

The *first* was a government of priestcraft, the second, of conquerors and the third of reason

When a set of artful men pretended, through the medium of oracles to hold intercourse with the Deity, as familiarly as they

Hitherto we have spoken only (and that but in part) of the natural rights of man We have now to consider the civil rights of man *and to show how the one originates from the other* Man did not enter into society to become *worse* than he was before nor to have fewer rights than he had before, but to have those rights better secured *His natural rights are the foundation of all his civil rights* But in order to pursue this distinction with more precision it is necessary to make the different qualities of natural and civil rights

A few words will explain this Natural rights are those which appertain to man in right of his existence Of this kind are all the intellectual rights, or rights of the mind, and also all those rights of acting as an individual for his own comfort and happiness which are not injurious to the natural rights of others Civil rights are those which appertain to man in right of his being a member of society

Every civil right has for its foundation some natural right pre existing in the individual, but to the enjoyment of which his individual power is not in all cases sufficiently competent Of this kind are all those which relate to security and protection

From this short review it will be easy to distinguish between that class of natural rights which man retains after entering into society and those which he throws into the common stock as a member of society

The natural rights which he retains are all those in which the power to execute is as perfect in the individual as the right itself Among this class, as is before mentioned are all the intellectual rights, or rights of the mind consequently religion is one of those rights

The natural rights which are not retained are all those in which though the right is perfect in the individual the power to execute them is defective They answer not his purpose A man by natural right, has a right to judge in his own cause and so far as the right of the mind is concerned he never surrenders it but what avails it him to judge if he has not power to redress? He therefore de posits his right in the common stock of society and takes the arm of society, of which he is a part, in preference and in addition to

his own Society *grants* him nothing Every man is proprietor in society and draws on the capital as a matter of right

From these premises, two or three certain conclusions will follow

First, that every civil right grows out of a natural right, or, in other words is a natural right exchanged

Secondly, that civil power, properly considered as such, is made up of the aggregate of that class of the natural rights of man which becomes defective in the individual in point of power and answers not his purpose, but when collected to a focus becomes competent to the purpose of everyone

Thirdly, that the power produced from the aggregate of natural rights imperfect in power in the individual, cannot be applied to invade the natural rights which are retained in the individual and in which the power to execute is as perfect as the right itself

We have now in a few words, traced man from a natural individual to a member of society and shown, or endeavored to show, the quality of the natural rights retained and those which are exchanged for civil rights Let us now apply those principles to governments

[Of the Nature of Government]

In casting our eyes over the world it is extremely easy to distinguish the governments which have arisen out of society, or out of the social compact, from those which have not, but to place this in a clearer light than what a single glance may afford, it will be proper to take a review of the several sources from which the governments have arisen and on which they have been founded

They may be all comprehended under three heads *First*, superstition *Secondly* power *Thirdly*, the common interests of society and the common rights of man

The first was a government of priestcraft, the second, of conquerors and the third of reason

When a set of artful men pretended, through the medium of oracles, to hold intercourse with the Deity, as familiarly as they

now march up the backstairs in European courts, the world was completely under the government of superstition The oracles were consulted, and whatever they were made to say became the law, and this sort of government lasted as long as this sort of superstition lasted

After these a race of conquerors arose whose government, like that of William the Conqueror, was founded in power, and the *sword assumed the name of a scepter Governments thus established* last as long as the power to support them lasts, but that they might avail themselves of every engine in their favor, they united fraud to force and set up an idol which they called "Divine Right," and which, in imitation of the Pope, who affects to be spiritual and temporal, and in contradiction to the founder of the Christian religion, twisted itself afterward into an idol of another shape, called ' Church and State " The key of Saint Peter and the key of the treasury became quartered on one another, and the wondering, cheated multitude worshiped the invention

When I contemplate the natural dignity of man, when I feel (for nature has not been kind enough to me to blunt my feelings) for the honor and happiness of its character, I become irritated at *the attempt to govern mankind by force and fraud, as if they* were all knaves and fools, and can scarcely avoid disgust at those who are thus imposed upon

We have now to review the governments which arise out of society, in contradistinction to those which arose out of superstition and conquest

It has been thought a considerable advance toward establishing the principles of freedom to say that government is a compact between those who govern and those who are governed, but this cannot be true, because it is putting *the effect before the cause*, for as a man must have existed before governments existed, there necessarily was a time when governments did not exist, and consequently *there could originally exist no governors to form such a* compact with

The fact therefore must be that the *individuals themselves*, each in his own personal and sovereign right *entered into a compact with each other* to produce a government, and this is the only

mode in which governments have a right to arise and the only principle on which they have a right to exist

To possess ourselves of a clear idea of what government is, or ought to be, we must trace it to its origin In doing this, we shall easily discover that governments must have arisen either *out* of the people or *over* the people Mr Burke has made no distinction

He investigates nothing to its source, and therefore he confounds everything, but he has signified his intention of undertaking at some future opportunity a comparison between the constitutions of England and France

As he thus renders it a subject of controversy by throwing the gauntlet, I take him upon his own ground It is in high challenges that high truths have the right of appearing, and I accept it with the more readiness because it affords me at the same time, an opportunity of pursuing the subject with respect to governments arising out of society

But it will be first necessary to define what is meant by a constitution It is not sufficient that we adopt the word, we must fix also a standard signification to it

A constitution is not a thing in name only, but in fact It has not an ideal, but a real existence and wherever it cannot be pro duced in a visible form there is none A constitution is a thing *antecedent* to a government and a government is only the creature of a constitution The constitution of a country is not the act of its government but of the people constituting a government

It is the body of elements to which you can refer and quote article by article, and which contains the principles on which the government shall be established the manner in which it shall be organized, the powers it shall have, the mode of elections, the duration of parliaments or by what other name such bodies may be called the powers which the executive part of the government shall have and in fine everything that relates to the complete organization of a civil government and the principles on which it shall act and by which *it shall be bound*

A constitution therefore, is to a government what the laws made afterward by that government are to a court of judicature The court of judicature does not make the laws neither can it alter

them, it only acts in conformity to the laws made, and the government is in like manner governed by the constitution

. . . . .

[OF ARISTOCRACY]

The French constitution says, "there shall be no titles," and of consequence all that class of equivocal generation which in some countries is called "aristocracy" and in others "nobility" is done away, and the "peer" is exalted into "man"

Titles are but nicknames, and every nickname is a title The thing is perfectly harmless in itself, but it marks a sort of foppery in the human character which degrades it It renders man diminutive in things which are great, and the counterfeit of woman in things which are little It talks about its fine blue "riband' like a girl, and shows its new garter" like a child A certain writer, of some antiquity, says, "When I was a child, I thought as a child, but when I became a man, I put away childish things "[4]

It is, properly, from the elevated mind of France that the folly of titles has been abolished It has outgrown the baby clothes of "count" and "duke," and breeched itself in manhood France has not leveled, it has exalted It has put down the dwarf to set up the man The insignificance of a senseless word like "duke," "count," or "earl ' has ceased to please Even those who possessed them have disowned the gibberish and as they outgrew the rickets have despised the rattle

The genuine mind of man, thirsting for its native home, society, contemns the gewgaws that separate him from it Titles are like circles drawn by the magician s wand to contract the sphere of man's felicity He lives immured within the Bastille of a word and surveys at a distance the envied life of man

Is it then any wonder that titles should fall in France? Is it not a greater wonder they should be kept up anywhere? What are they? What is their worth and "what is their amount?" When we think or speak of a "judge" or a "general" we associate with it the ideas of office and character, we think of gravity in the one

and bravery in the other but when we use a word merely as a title no ideas associate with it.

Through all the vocabulary of Adam, there is no such an animal as a duke or a count, neither can we connect any idea to the words Whether they mean strength or weakness, wisdom or folly, a child or a man, or a rider or a horse, is all equivocal What respect then can be paid to that which describes nothing and which means nothing? Imagination has given figure and character to centaurs, satyrs and down to all the fairy tribe, but titles baffle even the powers of fancy and are a chimerical nondescript

But this is not all If a whole country is disposed to hold them *in contempt*, all their value is gone and none will own them It is common opinion only that makes them anything or nothing or worse than nothing There is no occasion to take titles away, for they take themselves away when society concurs to ridicule them This species of imaginary consequence has visibly declined in every part of Europe and it hastens to its exit as the world of reason continues to rise

There was a time when the lowest class of what are called nobility was more thought of than the highest is now and when a man in armor riding through Christendom in search of adventure was more stared at than a modern duke The world has seen this folly fall and it has fallen by being laughed at, and the farce of titles will follow its fate

The patriots of France have discovered in good time that rank and dignity in society must take a new ground The old one has fallen through It must now take the substantial ground of character instead of the chimerical ground of titles and they have brought their titles to the altar and made of them a burnt offering to reason

If no mischief had annexed itself to the folly of titles, they would not have been worth a serious and formal destruction such as the National Assembly have decreed them and this makes it necessary to inquire further into the nature and character of aristocracy

That, then which is called aristocracy in some countries and nobility in others arose out of the governments founded upon

them, it only acts in conformity to the laws made, and the government is in like manner governed by the constitution

. . .

[Of Aristocracy]

The French constitution says, "there shall be no titles," and of consequence all that class of equivocal generation which in some countries is called "aristocracy" and in others "nobility" is done away, and the "peer" is exalted into "man"

Titles are but nicknames, and every nickname is a title The thing is perfectly harmless in itself, but it marks a sort of foppery in the human character which degrades it It renders man diminutive in things which are great, and the counterfeit of woman in things which are little It talks about its fine blue "riband' like a girl, and shows its new garter like a child A certain writer, of some antiquity, says, 'When I was a child, I thought as a child, but when I became a man, I put away childish things"[4]

It is, properly, from the elevated mind of France that the folly of titles has been abolished It has outgrown the baby clothes of "count" and "duke," and breeched itself in manhood France has not leveled, it has exalted It has put down the dwarf to set up the man The insignificance of a senseless word like "duke," 'count," or "earl" has ceased to please Even those who possessed them have disowned the gibberish and as they outgrew the rickets have despised the rattle

The genuine mind of man, thirsting for its native home, society, contemns the gewgaws that separate him from it Titles are like circles drawn by the magician's wand to contract the sphere of man's felicity He lives immured within the Bastille of a word and surveys at a distance the envied life of man

Is it then any wonder that titles should fall in France? Is it not *a greater wonder they should be kept up anywhere? What are* they? What is their worth and what is their amount?" When we think or speak of a "judge" or a "general" we associate with it the ideas of office and character, we think of gravity in the one

and bravery in the other but when we use a word merely as a title, no ideas associate with it

Through all the vocabulary of Adam, there is no such an animal as a duke or a count, neither can we connect any idea to the words Whether they mean strength or weakness, wisdom or folly, a child or a man, or a rider or a horse, is all equivocal What respect then can be paid to that which describes nothing and which means nothing? Imagination has given figure and character to centaurs, satyrs, and down to all the fairy tribe, but titles baffle even the powers of fancy and are a chimerical nondescript

But this is not all If a whole country is disposed to hold them in contempt, all their value is gone and none will own them It is common opinion only that makes them anything or nothing, or worse than nothing There is no occasion to take titles away, for they take themselves away when society concurs to ridicule them This species of imaginary consequence has visibly declined in every part of Europe and it hastens to its exit as the world of reason continues to rise

There was a time when the lowest class of what are called nobility was more thought of than the highest is now, and when a man in armor riding through Christendom in search of adventure was more stared at than a modern duke The world has seen this folly fall and it has fallen by being laughed at, and the farce of titles will follow its fate

The patriots of France have discovered in good time that rank and dignity in society must take a new ground The old one has fallen through It must now take the substantial ground of character, instead of the chimerical ground of titles and they have brought their titles to the altar and made of them a burnt offering to reason

If no mischief had annexed itself to the folly of titles, they would not have been worth a serious and formal destruction, such as the National Assembly have decreed them, and this makes it necessary to inquire further into the nature and character of aristocracy

That, then which is called *aristocracy* in some countries and nobility in others arose out of the governments founded upon

conquest It was originally a military order for the purpose of supporting military government (for such were all governments founded in conquest), and to keep up a succession of this order for the purpose for which it was established, all the younger branches of those families were disinherited and the law of *primogentureship* set up

The nature and character of aristocracy shows itself to us in this law It is a law against every law of nature, and nature herself calls for its destruction Establish family justice, and aristocracy falls By the aristocratical law of primogentureship, in a family of six children, five are exposed Aristocracy has never more than one child The rest are begotten to be devoured They are thrown to the cannibal for prey, and the natural parent prepares the unnatural repast

As everything which is out of nature in man affects, more or less, the interest of society, so does this All the children which the aristocracy disowns (which are all except the eldest) are, in general, cast like orphans on a parish, to be provided for by the public, but at a greater charge Unnecessary offices and places in governments and courts are created at the expense of the public to maintain them

With what kind of parental reflections can the father or mother contemplate their younger offspring? By nature they are children and by marriage they are heirs but by aristocracy they are bastards and orphans They are the flesh and blood of their parents in one line, and nothing akin to them in the other To restore, therefore, parents to their children and children to their parents—relations to each other and man to society—and to exterminate the monster aristocracy root and branch the French constitution has destroyed the law of primogentureship Here then lies the monster, and Mr Burke if he pleases, may write its epitaph

Hitherto we have considered aristocracy chiefly in one point of view We have now to consider it in another But whether we view it before or behind or sideways, or anyway else domestically or publicly, it is still a monster

In France, aristocracy has one feature less in its countenance than what it has in some other countries It did not compose a

body of hereditary legislators It was not "a corporation of aristocracy, for such I have heard M de Lafayette[8] describe an Engli h House of Peers Let us then examine the grounds upon which the French constitution has resolved against having such a House in France

Because, *in the first place*, as is already mentioned, aristocracy is kept up by family tyranny and injustice

Secondly, because there is an unusual unfitness in an aristocracy to be legislators for a nation Their ideas of distributive justice are corrupted at the very source They begin life by trampling on all their younger brothers and sisters and relations of every kind and are taught and educated so to do With what ideas of justice or honor can that man enter a house of legislation who absorbs in his own person the inheritance of a whole family of children or doles out to them some pitiful portion with the insolence of a gift?

Thirdly, because the idea of hereditary legislators is as incons st

... as a hereditary poet laureate

Fourthly, because a body of men holding themselves accountable to nobody ought not to be trusted by anybody

Fifthly, because it is continuing the uncivilized principles of the governments founded in conquest and the base idea of man having property in man and governing him by personal right

Sixthly, because aristocracy has a tendency to degenerate the human species By the universal economy of nature it is known and by the instance of the *Jews* it is proved, that the h man species has a tendency *to degenerate* in any small number of per sons when separated from the general stock of society and inter marrying constantly with each other

... characters the world has known have risen on the democratic floor Aristocracy has not been able to keep a proportionate pace with democracy

The artificial noble shrinks into a dwarf before the noble of

nature, and in the few instances of those (for there are some in all countries) in whom nature, as by a miracle, has survived in aris tocracy, *those men despise it*

[Of Religious Freedom]

The French constitution has abolished or renounced *toleration* and *intolerance* also, and has established *universal right of conscience*

Toleration is not the *opposite* of intoleration, but is the *counter feit* of it Both are despotisms The one assumes to itself the right of withholding liberty of conscience, and the other of granting it The one is the Pope armed with fire and faggot, and the other is the Pope selling or granting indulgences The former is church and state, and the latter is church and traffic

But toleration may be viewed in a much stronger light Man worships not himself but his Maker, and the liberty of conscience which he claims is not for the service of himself but of his God In this case, therefore, we must necessarily have the associated idea of two beings the *mortal* who renders the worship, and the *im mortal being* who is worshiped

Toleration therefore, places itself not between man and man, nor between church and church, nor between one denomination of religion and another but between God and man—between the being who worships and the *being* who is worshiped, and by the same act of assumed authority by which it tolerates man to pay his worship, it presumptuously and blasphemously sets up itself to tolerate the Almighty to receive it

Were a bill brought into Parliament entitled, An *act* to tolerate or grant liberty to the Almighty to receive the worship of a Jew or a Turk' or ' to prohibit the Almighty from receiving it," all men would startle and call it blasphemy There would be an up roar The presumption of toleration in religious matters would then present itself unmasked, but the presumption is not the less be cause the name of man only appears to those laws, for the associ

ated idea of the *worshiper* and the *worshiped* cannot be separated

Who, then, art thou, vain dust and ashes! by whatever name thou art called, whether a king, a bishop, a church or a state, a parliament or anything else, that obtrudest thine insignificance between the soul of man and his Maker? Mind thine own concerns If he believes not as thou believest, it is a proof that thou believest not as he believeth, and there is no earthly power can determine between you

With respect to what are called denominations of religion, if everyone is left to judge of his own religion, there is no such thing as a religion that is wrong but if they are to judge of each other's religion there is no such thing as a religion that is right, and there fore all the world is right or all the world is wrong

But with respect to religion itself, without regard to names and as directing itself from the universal family of mankind to the divine object of all adoration, *it is man bringing to his Maker the fruits of his heart*, and though these fruits may differ from each other like the fruits of the earth, the grateful tribute of everyone is accepted

A bishop of Durham, or a bishop of Winchester, or the arch bishop who heads the dukes will not refuse a tithe sheaf of wheat because it is not a cock of hay nor a cock of hay because it is not a sheaf of wheat, nor a pig because it is neither the one nor the other, but these same persons under the figure of an established church will not permit their Maker to receive the various tithes of man s devotion

One of the continual choruses of Mr Burke s book is "church and state" He does not mean some one particular church or some one particular state but any church and state, and he uses the term as a general figure to hold forth the political doctrine of al ways uniting the church with the state in every country, and he censures the National Assembly for not having done this in France Let us bestow a few thoughts on this subject

All religions are in their nature mild and benign and united with principles of morality They could not have made proselytes at first by professing anything that was vicious, cruel, persecuting,

or immoral Like everything else, they had their beginning, and they proceeded by persuasion, exhortation, and example How, then, is it that they lose their native mildness and become morose and intolerant?

It proceeds from the connection which Mr Burke recommends By engendering the church with the state, a sort of mule animal, capable only of destroying, and not of breeding up, is produced called, "the church established by law" It is a stranger, even from its birth, to any parent mother on which it is begotten and whom in time it kicks out and destroys

The Inquisition in Spain does not proceed from the religion originally professed, but from this mule animal engendered be tween the church and the state The burnings in Smithfield [6] proceeded from the same heterogeneous production, and it was the regeneration of this strange animal in England afterward that renewed rancor and irreligion among the inhabitants and that drove the people called Quakers and Dissenters to America [7]

Persecution is not an original feature in *any* religion, but it is always the strongly marked feature of all law religions, or religions established by law Take away the law establishment, and every religion reassumes its original benignity In America, a Catholic priest is a good citizen, a good character, and a good neighbor, an Episcopal minister is of the same description, and this proceeds, independently of the men, from there being no law establishment in America

If, also, we view this matter in a temporal sense, we shall see the ill effects it has had on the prosperity of nations The union of church and state has impoverished Spain The revoking the Edict of Nantes [8] drove the silk manufacture from France into England, and church and state are now driving the cotton manufacture from England to America and France

Let then Mr Burke continue to preach his antipolitical doctrine of church and state It will do some good The National Assembly will not follow his advice but will benefit by his folly It was by observing the ill effects of it in England that America has been warned against it, and it is by experiencing them in France that the National Assembly have abolished it and, like America, have

established *universal right of conscience and universal right of citizenship*[b]

. . . .

The conspiracy being thus dispersed, one of the first works of the National Assembly, instead of vindictive proclamations, as has been the case with other governments, published a Declaration of the Rights of Man, as the basis on which the new constitution was to be built, and which is here subjoined

[b] When in any country we see extraordinary circumstances taking place, they naturally lead any man who has a talent for observation and investigation to inquire into the causes The manufactures of Manchester, Birmingham, and Sheffield are the principal manufactures in England. From whence did this arise? A little observation will explain the case

The principal and the generality of the inhabitants of those places are not of what is called in England "the church established by law", and they or their fathers (for it is within but a few years) withdrew from the persecution of the chartered towns, where test laws more particularly operate, and established a sort of asylum for themselves in those places It was the only asylum that then offered, for the rest of Europe was worse

But the case is now changing France and America bid all comers welcome, and initiate them into all the rights of citizenship Policy and interest, therefore, will, but perhaps too late dictate in England what reason and justice could not. Those manufactures are withdrawing and are arising in other places. There is now [1791] erecting at Passy, three miles from Paris, a large cotton mill, and several are already erected in America. Soon after the rejecting the bill for repealing the test law one of the richest manufacturers in England said in my hearing "England Sir, is not a country for a Dissenter to live in— we must go to France"

These are truths and it is doing justice to both parties to tell them It is chiefly the Dissenters who have carried English manufactures to the height they are now at, and the same men have it in their power to carry them away, and though those manufactures would afterward continue to be made in those places, the foreign market would be lost There are frequently appearing in the [illegible]

. . . .

[illegible] of England, of all denominations, which is at least a hundred times the most numerous, may begin to feel the necessity of a constitution, and then all those matters will come regularly before them.

DECLARATION OF THE RIGHTS OF MAN AND OF CITIZENS

BY THE NATIONAL ASSEMBLY OF FRANCE

The representatives of the people of France, formed into a National Assembly, considering that ignorance, neglect, or con tempt of human rights are the sole causes of public misfor tunes and corruptions of government, have resolved to set forth in a solemn declaration these natural, imprescriptible, and un alienable rights, that, this declaration being constantly present to the minds of the members of the body social, they may be ever kept attentive to their rights and their duties, that the acts of the legislative and executive powers of government, being capable of being every moment compared with the end of political institu tions, may be more respected, and also that the future claims of the citizens, being directed by simple and incontestible principles, may always tend to the maintenance of the constitution and the general happiness

For these reasons the National Assembly does recognize and declare, in the presence of the Supreme Being, and with the hope of His blessing and favor, the following *sacred* rights of men and of citizens

I *Men are born, and always continue, free and equal in respect of their rights Civil distinctions, therefore, can be founded only on public utility*

II *The end of all political associations is the preservation of the natural and imprescriptible rights of man, and these rights are liberty, property security, and resistance of oppression*

III *The nation is essentially the source of all sovereignty, nor can any individual or any body of men be entitled to any authority which is not expressly derived from it*

IV *Political liberty consists in the power of doing whatever* does not injure another The exercise of the natural rights of every man has no other limits than those which are necessary to secure to every *other* man the free exercise of the same rights and these limits are determinable only by the law

V The law ought to prohibit only actions hurtful to society

What is not prohibited by the law should not be hindered, nor should anyone be compelled to that which the law does not require

VI The law is an expression of the will of the community All citizens have a right to concur, either personally or by their representatives in its formation It should be the same to all, whether it protects or punishes, and *all being equal in its sight are equally eligible to all honors, places, and employments, according to their different abilities without any other distinction than that created by their virtues and talents*

VII No man should be accused, arrested or held in confinement, except in cases determined by the law and according to the forms which it has prescribed All who promote solicit, execute or cause to be executed arbitrary orders ought to be punished and every citizen called upon or apprehended by virtue of the law ought immediately to obey and renders himself culpable by resistance

VIII The law ought to impose no other penalties but such as are absolutely and evidently necessary and no one ought to be punished but in virtue of a law promulgated before the offense and legally applied

IX Every man being presumed innocent till he has been convicted whenever his detention becomes indispensable all rigor to him—more than is necessary to secure his person—ought to be provided against by the law

X No m

not e

avowa

the la

XI The unrestrained communication of thoughts and opinions being one of the most precious rights of man every citizen may speak write and publish freely provided he is responsible for the abuse of this liberty in cases determined by the law

XII A public force being necessary to give security to the rights of men and of citizens that force is instituted for the benefit of the community and not for the particular benefit of the persons wh

y according to their abilities

XIV Every citizen has a right either by himself or his representative to a free voice in determining the necessity of public

contributions, the appropriation of them, and their amount mode of assessment, and duration

XV Every community has a right to demand of all its agents an account of their conduct

XVI Every community in which a separation of powers and a security of rights is not provided for wants a constitution

XVII The rights to property being inviolable and sacred no one ought to be deprived of it, except in cases of evident public necessity, legally ascertained, and on condition of a previous just indemnity

OBSERVATIONS ON THE DECLARATION OF RIGHTS

The three first articles comprehend in general terms the whole of a Declaration of Rights, all the succeeding articles either originate from them or follow as elucidations The fourth, fifth and sixth define more particularly what is only generally expressed in the first, second, and third

The seventh, eighth, ninth, tenth, and eleventh articles are declaratory of *principles* upon which laws shall be constructed conformable to *rights* already declared But it is questioned by some very good people in France, as well as in other countries whether the tenth article sufficiently guarantees the right it is intended to accord with besides which it takes off from the divine dignity of religion and weakens its operative force upon the mind to make it a subject of human laws It then presents itself to man like light intercepted by a cloudy medium, in which the source of it is obscured from his sight, and he sees nothing to reverence in the dusky ray [c]

[c] There is a single idea which if it strikes rightly upon the mind either in a legal or a religious sense will prevent any man or any body of men or any government from going wrong on the subject of religion which is that before any human institutions of government were known in the world there existed if I may so express it a compact between God and man from the beginning of time and that as the relation and condition which man in his *individual person* stands in toward his Maker cannot be changed or any ways altered by any human laws or human authority that religious devotion which is a part of this

The remaining articles, beginning with the twelfth, are substan tially contained in the principles of the preceding articles but in the particular situation in which France then was, having to undo what was wrong as well as to set up what was right, it was proper to be more particular than what in another condition of things would be necessary

While the Declaration of Rights was before the National Assem bly, some of its members remarked that, if a Declaration of Rights was published, it should be accompanied by a Declaration of Duties The observation discovered a mind that reflected, and it only erred by not reflecting far enough A Declaration of Rights is, by reciprocity, a Declaration of Duties also Whatever is my right as a man is also the right of another and it becomes my duty to guarantee as well as to possess

The three first articles are the basis of liberty, as well individual as national nor can any country be called free whose government *does not* take its beginning from the principles they contain and continue to preserve them pure and the whole of the Declaration of *Rights is* of more value to the world and will do more good than all the laws and statutes that have yet been promulgated

In the declaratory exordium which prefaces the Declaration of Rights, we see the solemn and majestic spectacle of a nation opening its commission under the auspices of its Creator, *to es tablish a government* a scene so new and so transcendently un equaled by anything in the European world that the name of a revolution is diminutive of its character, and it rises into a re generation of man

What are the present governments of Europe but a scene of iniquity and *oppression?* What is that of England? Do not its own inhabitants say it is a market where every man has his price,

---

compact
must con
make the
quent the ... the first act of *man* when he looked around and saw himself a
creature wh
have been
ual man as

and where corruption is common traffic, at the expense of a deluded people? No wonder, then, that the French Revolution is traduced

Had it confined itself merely to the destruction of flagrant despotism, perhaps Mr Burke and some others had been silent Their cry now is, "*It is gone too far*"—*that is, it has gone too far for* them It stares corruption in the face, and the venal tribe are all alarmed Their fear discovers itself in their outrage, and they are but publishing the groans of a wounded vice

But from such opposition the French Revolution, instead of suffering, receives a homage The more it is struck, the more *sparks it will emit, and the fear is it will not be struck enough* It has nothing to dread from attacks, truth has given it an establishment, and time will record it with a name as lasting as *his own*

Having now traced the progress of the French Revolution through most of its principal stages, from its commencement to the *taking of the Bastille and its establishment by the Declaration* of Rights, I will close the subject with the energetic apostrophe of M de Lafayette 'May this great monument raised to Liberty' *serve as a lesson to the oppressor and an example to* the oppressed!" [d]

[Of Hereditary Government] [e]

Notwithstanding *the nonsense*—*for it deserves* no better name —that Mr Burke has asserted about hereditary rights and hereditary succession, and that a nation has not a right to form a government for itself, it happened to fall in his way to give some account of what Government is "Government," says he, "is a contrivance of human wisdom '

[d] See page [182] of this work —N B Since the taking of the Bastille the occurrences have been published but the matters recorded in this narrative are prior to that period, and some of them as may be easily seen, can be but very little known

[e] [From "Miscellaneous Chapter," Part I]

Admitting that government is a contrivance of human *wisdom*, it must necessarily follow that hereditary succession and hereditary rights (as they are called) can make no part of it, because it is impossible to make wisdom hereditary, and on the other hand, *that* cannot be a wise contrivance which in its operation may commit the government of a nation to the wisdom of an idiot The ground which Mr Burke now takes is fatal to every part of his cause

The argument changes from hereditary rights to hereditary wisdom, and the question is, Who is the wisest man? He must now show that everyone in the line of hereditary succession was a Solomon, or his title is not good to be a king What a stroke has Mr Burke now made! To use a sailor s phrase, he has "swabbed the deck' and scarcely left a name legible in the list of kings, and he has mowed down and thinned the House of Peers with a scythe as formidable as death and time But Mr Burke appears to have been aware of this retort, and he has taken care to guard against it by making government to be not only a *contrivance* of human wisdom but a *monopoly* of wisdom He puts the nation as fools on one side and places his government of wisdom, all wise men of Gotham, on the other side and he then proclaims and says that 'men have a *right* that their *wants* should be provided for by this wisdom'

Having thus made proclamation, he next proceeds to explain to them what their *wants* are and also what their *rights* are

In this he has succeeded dexterously, for he makes their wants to be a *want* of wisdom, but as this is but cold comfort, he then informs them that they have a *right* (not to any of the wisdom) but to be governed by it and in order to impress them with a solemn reverence for this monopoly government of wisdom and of its vast capacity for all purposes, possible or impossible, right or wrong he proceeds with astrological, mysterious importance to tell them its powers in these words

The rights of

tracting, multiplying, and dividing, morally and not metaphysically or mathematically, true moral demonstrations

As the wondering audience whom Mr Burke supposes himself talking to may not understand all this learned jargon, I will undertake to be its interpreter The meaning then good people, of all this is *that government is governed by no principle whatever, that it can make evil good, or good evil, just as it pleases In short, that government is arbitrary power*

But there are some things which Mr Burke has forgotten First, he has not shown where the wisdom originally came from and secondly, he has not shown by what authority it first began to act In the manner he introduces the matter, it is either government stealing wisdom or wisdom stealing government It is without an origin, and its powers without authority In short, it is usurpation

But, to arrange this matter in a clearer view than what general expressions can convey, it will be necessary to state the distinct heads under which (what is called) a hereditary crown or, more properly speaking, a hereditary succession to the government of a nation can be considered,[f] which are

First, the right of a particular family to establish itself
Secondly, the right of a nation to establish a particular family

With respect to the *first* of these heads, that of a family establishing itself with hereditary powers on its own authority and independent of the consent of a nation, all men will concur in calling it despotism, and it would be trespassing on their understanding to attempt to prove it

But the *second* head, that of a nation establishing a particular family with *hereditary powers*, does not present itself as despotism on the first reflection but if men will permit a second reflection to take place and carry that reflection forward but one remove out of their own persons to that of their offspring they will then see that hereditary succession becomes in its consequences the same despotism to others which they reprobated for themselves It op

f [See p 161]

erates to preclude the consent of the succeeding generations and the preclusion of consent is despotism

When the person who at any time shall be in possession of a government or those who stand in succession to him shall say to a nation I hold this power in contempt of you it signifies not on what authority he pretends to say it It is no relief but an aggravation to a person in slavery to reflect that he was sold by his parent and as that which heightens the criminality of an act cannot be produced to prove the legality of it hereditary succession cannot be established as a legal thing

In order to arrive to a more perfect decision on this head it will be proper to consider the generation which undertakes to establish a family with *hereditary powers* apart and separate from the generations which are to follow and also to consider the character in which the *first* generation acts with respect to succeeding generations

The generation which first selects a person and puts him at the head of its government either with the title of king or any other distinction acts its *own choice* be it wise or foolish as a free agent for *itself* The person so set up is not hereditary, but selected and appointed and the generation who sets him up does not live under a hereditary government but under a government of its own choice and establishment Were the generation who sets him up and the person so set up to live forever it never could become hereditary succession and of consequence hereditary succession can only follow on the death of the first parties

As therefore hereditary succession is out of the question with respect to the *first* generation we have now to consider the character in which *that* generation acts with respect to the commencing generation and to all succeeding ones

It assumes a character to which it has neither right nor title It changes itself from a *legislator* to a *testator* and affects to make its will, which is to have operation after the demise of the makers to bequeath the government and it not only attempts to bequeath but to establish on the succeeding generation a new and different form of government under which itself lived

Itself as is already observed lived not under a hereditary gov

ernment but under a government of its own choice and establishment, and it now attempts, by virtue of a will and testament (which it has not authority to make), to take from the commencing generation and all future ones the rights and free agency by which itself acted

But, exclusive of the right which any generation has to act collectively as a testator, the objects to which it applies itself in this case are not within the compass of any law or of any will or testament

The rights of men in society are neither devisable nor transferable nor annihilable, but are descendible only, and it is not in the power of any generation to intercept finally and cut off the descent If the present generation, or any other, are disposed to be slaves, *it does not lessen the right of the succeeding generation to be free,* wrongs cannot have a legal descent When Mr Burke attempts to maintain that the *English nation did at the Revolution of 1688 most solemnly renounce and abdicate their right for themselves and for all their posterity forever,* he speaks a language that merits not reply and which can only excite contempt for his prostitute principles or pity for his ignorance

In whatever light hereditary succession, as growing out of the will and testament of some former generation, presents itself, it is an absurdity A cannot make a will to take from B the property of B and give it to C, yet this is the manner in which (what is called) hereditary succession by law operates

A certain former generation made a will to take away the rights of the commencing generation and all future ones, and to convey those rights to a third person, who afterward comes forward and tells them, in Mr Burke's language, that they have *no rights,* that *their rights are already bequeathed to him, and that he will govern in contempt* of them From such principles and such ignorance, good Lord, deliver the world!

CONCLUSION

Reason and ignorance, the opposites of each other, influence the great bulk of mankind If either of these can be rendered sufficiently extensive in a country, the machinery of government goes easily on Reason shows itself, and ignorance submits to whatever is dictated to it

The two modes of government which prevail in the world are, first, government by election and representation, secondly, government by hereditary succession The former is generally known by the name of republic, the latter by that of monarchy and aristocracy

Those two distinct and opposite forms erect themselves on the two distinct and opposite bases of reason and ignorance As the exercise of government requires talents and abilities, and as talents and abilities cannot have hereditary descent, it is evident that hereditary succession requires a belief from man to which his reason cannot subscribe and which can only be established upon his ignorance, and the more ignorant any country is the better it is fitted for this species of government

On the contrary, government in a well constituted republic requires no belief from man beyond what his reason can give He sees the rationale of the whole system its origin and its operation and as it is best supported when best understood the human faculties act with boldness and acquire under this form of government, a gigantic manliness

As therefore each of those forms acts on a different base—the one moving freely by the aid of reason the other by ignorance—we have next to consider what it is that gives motion to that species of government which is called mixed government, or as it is sometimes ludicrously styled a government of *this, that* and *t other*

The moving power of this species of government is of necessity, corruption However imperfect election and representation may be in mixed governments, they still give exercise to a greater portion of reason than is convenient to the hereditary part and therefore it becomes necessary to buy the reason up A mixed government

an imperfect everything, cementing and soldering the discordant parts together by *corruption to act as a whole* Mr Burke appears highly disgusted that France, since she had resolved on a revolution, did not adopt what he calls "a British constitution", and the regretful manner in which he expresses himself on this occasion implies a suspicion that the British constitution needed something to keep its defects in countenance

In mixed governments, there is no responsibility, the parts cover each other till responsibility is lost, and the corruption which moves the machine contrives at the same time its own escape When it is laid down as a maxim that *a king can do no wrong,* it places him in a state of similar security with that of idiots and persons insane, and responsibility is out of the question with respect to himself It then descends upon the minister, who shelters himself under a majority in Parliament, which, by places, pensions, and corruption, he can always command, and that majority justifies itself by the same authority with which it protects the minister In this rotary motion, responsibility is thrown off from the parts and from the whole

When there is a part in a government which can do no wrong, it implies that it does nothing and is only the machine of another power, by whose advice and direction it acts What is supposed to be the king in mixed governments is the cabinet, and as the cabinet is always a part of the Parliament and the members justifying *in one character what they advise and act in another,* a mixed government becomes a continual enigma, entailing upon a country, by the quantity of corruption necessary to solder the parts, the expense of supporting all the forms of government at once and finally resolving itself into a government by committee, in which the advisers, the actors, the approvers, the justifiers, the persons responsible, and the persons not responsible are the same persons

By this pantomimical contrivance and change of scene and character, *the parts help each other out in matters which neither* of them singly would assume to act When money is to be obtained, the mass of variety apparently dissolves, and a profusion of parliamentary praises passes between the parts Each admires with

astonishment the wisdom, the liberality, the disinterestedness of the other, and all of them breathe a pitying sigh at the burdens of the nation

But in a well-constituted republic, nothing of this soldering, praising and pitying can take place, the representation being equal throughout the country and complete in itself, however it may be arranged into legislative and executive, they have all one and the same natural source The parts are not foreigners to each other like democracy, aristocracy, and monarchy As there are no discordant distinctions, there is nothing to corrupt by compromise nor confound by contrivance

Public measures appeal of themselves to the understanding of the nation, and resting on their own merits, disown any flattering application to vanity The continual whine of lamenting the bur den of taxes, however successfully it may be practiced in mixed governments is inconsistent with the sense and spirit of a republic If taxes are necessary, they are of course advantageous, but if they require an apology, the apology itself implies an impeachment Why then is man thus imposed upon, or why does he impose upon himself?

When men are spoken of as kings and subjects, or when govern ment is mentioned under the distinct or combined heads of mon archy, aristocracy, and democracy what is it that reasoning man is to understand by the terms? If there really existed in the world two or more distinct and separate elements of human power, we should then see the several origins to which those terms would descriptively apply, but as there is but one species of man, there can be but one element of human power, and that element is man himself Monarchy, aristocracy, and democracy are but creatures of imagination, and a thousand such may be contrived, as well as three

From the revolutions of America and France and the symptoms that have appeared in other countries it is evident that the opinion of the world is changed with respect to systems of government, and that revolutions are not within the compass of political cal culations The progress of time and circumstances, which men

assign to the accomplishment of great changes, is too mechanical to measure the force of the mind and the rapidity of reflection by which revolutions are generated All the old governments have received a shock from those that already appear and which were once more improbable, and are a greater subject of wonder than a general revolution in Europe would be now

When we survey the wretched condition of man under the monarchical and hereditary systems of government, dragged from his home by one power or driven by another, and impoverished by taxes more than by enemies, it becomes evident that those systems are bad, and that a general revolution in the principle and construction of governments is necessary

What is government more than the management of the affairs of a nation? It is not and from its nature cannot be the property of any particular man or family, but of the whole community, at whose expense it is supported, and though by force or contrivance it has been usurped into an inheritance, the usurpation cannot alter the right of things Sovereignty, as a matter of right, appertains to the nation only, and not to any individual, and a nation has at all times an inherent indefeasible right to abolish any form of government it finds inconvenient and establish such as accords with its interest, disposition, and happiness The romantic and barbarous distinction of men into kings and subjects, though it may suit the condition of courtiers, cannot that of citizens, and is exploded by the principle upon which governments are now founded Every citizen is a member of the sovereignty and as such can acknowledge no personal subjection, and his obedience can be only to the laws

When men think of what government is, they must necessarily suppose it to possess a knowledge of all the objects and matters upon which its authority is to be exercised In this view of government, the republican system as established by America and France, operates to embrace the whole of a nation, and the knowledge necessary to the interest of all the parts is to be found in the center which the parts by representation form But the old governments are on a construction that excludes knowledge as well as happiness, government by monks, who know nothing of

the world beyond the walls of a convent, is as consistent as government by kings

What were formerly called revolutions were little more than a change of persons or an alteration of local circumstances They rose and fell like things of course and had nothing in their existence or their fate that could influence beyond the spot that produced them But what we now see in the world, from the revolutions of America and France, is a renovation of the natural order of things, a system of principles as universal as truth and the existence of man, and combining moral with political happiness and national prosperity

I Men are born and always continue free and equal in respect to their rights Civil distinctions, therefore, can be founded only on public utility

II The end of all political associations is the preservation of the natural and imprescriptible rights of man, and these rights are liberty [illegible]

I [illegible]

can [illegible]

which is not expressly derived from it

In these principles there is nothing to throw a nation into confusion by inflaming ambition They are calculated to call forth wisdom and abilities and to exercise them for the public good and not for the emolument or aggrandizement of particular descriptions of men or families Monarchial sovereignty, the enemy of mankind and the source of misery, is abolished and sovereignty itself is restored to its natural and original place, the nation Were this the case throughout Europe, the cause of wars would be taken away

It is attributed to Henry IV of France,[10] a man of an enlarged and benevolent heart, that he proposed, about the year 1610, a plan of abolishing war in Europe The plan consisted in constituting a European congress or, as the French authors style it, a pacific republic, by appointing delegates from the several nations, who were to act as a court of arbitration in any disputes that might arise between nation and nation Had such a plan been adopted at the time it was proposed, the taxes of England and France, as two of

assign to the accomplishment of *great changes,* is too mechanical to measure the force of the mind and the rapidity of reflection by which revolutions are generated All the old governments have received a shock from those that already appear and which were once more improbable, and are a greater subject of wonder than a general revolution in Europe would be now

When we survey the wretched condition of man under the monarchical and hereditary systems of government, dragged from his home by one power or driven by another, and impoverished by taxes more than by enemies, it becomes evident that those systems are bad, and that a general revolution in the principle and construction of governments is necessary

What is government more than the management of the affairs of a nation? It is not and from its nature cannot be the property of any particular man or family, but of the whole community, at whose expense it is supported, and though by force or contrivance *it has been usurped into an inheritance, the usurpation cannot alter* the right of things Sovereignty, as a matter of right, appertains *to the nation only, and not to any individual, and a nation* has at all times an inherent indefeasible right to abolish any form of government it finds inconvenient and establish such as accords with its interest, disposition, and happiness The romantic and barbarous distinction of men into kings and subjects, though it may suit the condition of courtiers, cannot that of citizens, and is exploded by the principle upon which governments are now founded Every citizen is a member of the sovereignty and as such can acknowledge no personal subjection, and his obedience can be only to the laws

When men think of what government is they must necessarily suppose it to possess a knowledge of all the objects and matters upon which its authority is to be exercised In this view of government, the republican system as established by America and *France, operates to embrace the whole of a nation,* and the knowledge necessary to the interest of all the parts is to be found in the center which the parts by representation form But the old governments are on a construction that excludes knowledge as well as happiness, government by monks, who know nothing of

not the enemy of man, but through the medium of a false system of government Instead, therefore, of exclaiming against the ambition of kings the exclamation should be directed against the principle of such governments, and instead of seeking to reform the individual, the wisdom of a nation should apply itself to reform the system

Whether the forms and maxims of governments which are still in practice were adapted to the condition of the world at the period they were established is not in this case the question The older they are, the less correspondence can they have with the present state of things Time and change of circumstances and opinions have the same progressive effect in rendering modes of government obsolete as they have upon customs and manners Agriculture, commerce, manufactures and the tranquil arts, by which the prosperity of nations is best promoted, require a different system of government and a different species of knowledge to direct its operations than what might have been required in the former condition of the world

As it is not difficult to perceive from the enlightened state of mankind, that hereditary governments are verging to their decline and that revolutions on the broad basis of national sovereignty and government by representation are making their way in Europe, it would be an act of wisdom to anticipate their approach and produce revolutions by reason and accommodation, rather than commit them to the issue of convulsions

From what we now see, nothing of reform on the political world ought to be held improbable It is an age of revolutions, in which everything may be looked for The intrigue of courts, by which the system of war is kept up may provoke a confederation of nations to abolish it, and a European congress to patronize the progress of free government and promote the civilization of nations with each other is an event nearer in probability than once were the revolutions and alliance of France and America

the parties, would have been at least ten millions sterling annually to each nation less than they were at the commencement of the French Revolution

To conceive a cause why such a plan has not been adopted (and that, instead of a congress for the purpose of *preventing* war, it has been called only to *terminate* a war after fruitless expense of several years), it will be necessary to consider the interest of governments as a distinct interest to that of nations

Whatever is the cause of taxes to a nation becomes also the means of revenue to a government Every war terminates with an addition of taxes, and consequently with an addition of revenue, and in any event of war, in the manner they are now commenced and concluded, the power and interest of governments are increased War, therefore, from its productiveness, as it easily furnishes the pretense of necessity for taxes and appointments to places and offices, becomes a principal part of the system of old governments and to establish any mode to abolish war, however advantageous it might be to nations, would be to take from such government the most lucrative of its branches The frivolous matters upon which war is made show the disposition and avidity of governments to uphold the system of war and betray the motives upon which they act

Why are not republics plunged into war but because the nature of their government does not admit of an interest distinct from that of the nation? Even Holland, though an ill constructed republic, and with a commerce extending over the world, existed nearly a century without war and the instant the form of government was changed in France the republican principles of peace and domestic prosperity and economy arose with the new government, and the same consequence would follow the same causes in other nations

As war is the system of government on the old construction, the animosity which nations reciprocally entertain is nothing more than what the policy of their governments excites to keep up the spirit of the system Each government accuses the other of perfidy, intrigue, and ambition as a means of heating the imagination of their respective nations and increasing them to hostilities Man is

The scene which that country presents to the eye of a spectator has something in it which generates and encourages great ideas Nature appears to him in magnitude The mighty objects he beholds act upon his mind by enlarging it, and he partakes of the greatness he contemplates Its first settlers were emigrants from different European nations and of diversified professions of religion retiring from the governmental persecutions of the Old World and meeting in the New, not as enemies but as brothers The wants which necessarily accompany the cultivation of a wilderness produced among them a state of society, which countries long harassed by the quarrels and intrigues of governments had neglected to cherish In such a situation man becomes what he ought He sees his species, not with the inhuman idea of a natural enemy, but as kindred and the example shows to the artificial world that man must go back to nature for information

From the rapid progress which America makes in every species of improvement, it is rational to conclude that if the governments of Asia, Africa, and Europe had begun on a principle similar to that of America, or had not been very early corrupted therefrom, that those countries must by this time have been in a far superior condition to what they are Age after age has passed away for no other purpose than to behold their wretchedness Could we suppose a spectator who knew nothing of the world and who was put into it merely to make his observations, he would take a great part of the Old World to be new, just struggling with the difficulties and hardships of an infant settlement He could not suppose that the hordes of miserable poor, with which old countries abound, could be any other than those who had not yet had time to provide for themselves Little would he think they were the consequence of what in such countries is called *government*

If, from the more wretched parts of the Old World, we look at those which are in an advanced stage of improvement, we still find the greedy hand of government thrusting itself into every corner and crevice of industry and grasping the spoil of the multitude Invention is continually exercised to furnish new pretenses for revenue and taxation It watches prosperity as its prey and permits none to escape without tribute

RIGHTS OF MAN

PART TWO

INTRODUCTION

WHAT ARCHIMEDES said of the mechanical powers may be applied to reason and liberty 'Had we, said he, 'a place to stand upon, we might raise the world
The Revolution of America presented in politics what was only theory in mechanics So deeply rooted were all the governments of the Old World and so effectually had the tyranny and the antiquity of habit established itself over the mind that no beginning could be made in Asia, Africa, or Europe to reform the political condition of man Freedom had been hunted round the globe reason was considered as rebellion, and the slavery of fear had made men afraid to think

But such is the irresistible nature of truth that all it asks and all it wants is the liberty of appearing The sun needs no inscription to distinguish him from darkness, and no sooner did the American governments display themselves to the world than despotism felt a shock and man began to contemplate redress

The independence of America considered merely as a separation from England, would have been a matter but of little importance had it not been accompanied by a revolution in the principles and practice of governments She made a stand not for herself only, but for the world, and looked beyond the advantages herself could receive Even the Hessian though hired to fight against her, may live to bless his defeat and England condemning the viciousness of its government rejoice in its miscarriage

As America was the only spot in the political world where the principles of universal reformation could begin, so also was it the best in the natural world An assemblage of circumstances conspired, not only to give birth, but to add gigantic maturity to its principles

human affairs has its ebb and flow in directions contrary to each other, so also is it in this Government founded on a *moral theory*, *on a system of universal peace, on the indefeasible, hereditary rights of man*, is now revolving from West to East by a stronger impulse than the government of the sword revolved from East to West It interests not particular individuals but nations in its progress and promises a new era to the human race

The danger to which the success of revolutions is most exposed is that of attempting them before the principles on which they proceed, and the advantages to result from them, are sufficiently seen and understood Almost everything appertaining to the circumstances of a nation has been absorbed and confounded under the general and mysterious word government Though it avoids taking to its account the errors it commits, and the mischiefs it occasions, it fails not to arrogate to itself whatever has the appearance of prosperity It robs industry of its honors by pedantically making itself the cause of its effects, and purloins from the general character of man the merits that appertain to him as a social being

It may therefore be of use in this day of revolutions to discriminate between those things which are the effect of government and those which are not This will best be done by taking a review of society and civilization and the consequences resulting therefrom as things distinct from what are called governments By beginning with this investigation, we shall be able to assign effects to their proper cause and analyze the mass of common errors

OF SOCIETY AND CIVILIZATION*

Great part of that order which reigns among mankind is not the effect of government It had its origin in the principles of society and the natural constitution of man It existed prior to government, and would exist if the formality of government was abolished The mutual dependence and reciprocal interest which man has upon man and all parts of a civilized community upon

* [Chapter I Part II]

As revolutions have begun (and the probability is always greater against a thing beginning than of proceeding after it has begun), it is natural to expect that other revolutions will follow The amazing and still increasing expenses with which old governments are conducted, the numerous wars they engage in or provoke, the embarrassment they throw in the way of universal civilization and commerce, and the oppression and usurpation they practice at home, have wearied out the patience and exhausted the property of the world *In such a situation, and with the examples already* existing, revolutions are to be looked for They are become subjects of universal conversation and may be considered as the *order of the day*

If systems of government can be introduced less expensive and more productive of general happiness than those which have existed, all attempts to oppose their progress will in the end be fruitless Reason, like time, will make its own way, and prejudice will fall in a combat with interest If universal peace, civilization, and commerce are ever to be the happy lot of man, it cannot be accomplished but by a revolution in the system of governments All the monarchical governments are military War is their trade, plunder and revenue their objects While such governments continue, peace has not the absolute security of a day

What is the history of all monarchical governments but a disgustful picture of human wretchedness and the accidental respite of a few years' repose? Wearied with war and tired with human butchery, they sat down to rest and called it peace This *certainly is not the condition that heaven intended for man* and if *this be monarchy,* well might monarchy be reckoned among the sins of the Jews

The revolutions which formerly took place in the world had nothing in them that interested the bulk of mankind They extended only to a change of persons and measures but not of principles, and rose or fell among the common transactions of the moment What we now behold may not improperly be called a "counterrevolution"

Conquest and tyranny, at some early period, dispossessed man of his rights, and he is now recovering them And as the tide of all

human affairs has its ebb and flow in directions contrary to each other so also is it in this Government founded on a *moral theory on a system of universal peace, on the indefeasible, hereditary rights of man* is now revolving from West to East by a stronger impulse than the government of the sword revolved from East to West It interests not particular individuals but nations in its progress and promises a new era to the human race

The danger to which the success of *revolutions is most exposed* is that of attempting them before the principles on which they proceed and the advantages to result from them, are sufficiently seen and understood Almost everything appertaining to the circumstances of a nation has been absorbed and confounded under the general and mysterious word government Though it avoids taking to its account the errors it commits and the mischiefs it occasions it fails not to arrogate to itself whatever has the appearance of prosperity It robs industry of its honors by pedantically making itself the cause of its effects and purloins from the general character of man the merits that appertain to him as a social being

It may therefore be of use in this day of revolutions to discriminate between those things which are the effect of government and those which are not This will best be done by taking a review of society and civilization and the consequences resulting therefrom as things distinct from what are called governments By beginning with this investigation we shall be able to assign effects to their proper cause and analyze the mass of common errors

OF SOCIETY AND CIVILIZATION *

Great part of that order which reigns among mankind is not the effect of government It had its origin in the principles of society and the natural constitution of man It existed prior to government and would exist if the formality of government was abolished The mutual dependence and reciprocal interest which man has upon man and all parts of a civilized community upon

* [Chapter I Part II.]

As revolutions have begun (and the probability is always greater against a thing beginning than of proceeding after it has begun), it is natural to expect that other revolutions will follow The amazing and still increasing expenses with which old governments are conducted, the numerous wars they engage in or provoke, the embarrassment they throw in the way of universal civilization and commerce, and the oppression and usurpation they practice at home, have wearied out the patience and exhausted the property of the world In such a situation, and with the examples already existing, revolutions are to be looked for They are become subjects of universal conversation and may be considered as the *order of the day*

If systems of government can be introduced less expensive and more productive of general happiness than those which have existed, all attempts to oppose their progress will in the end be fruitless Reason, like time, will make its own way, and prejudice will fall in a combat with interest If universal peace, civilization, and commerce are ever to be the happy lot of man, it cannot be accomplished but by a revolution in the system of governments All the monarchical governments are military War is their trade, plunder and revenue their objects While such governments continue, peace has not the absolute security of a day

What is the history of all monarchical governments but a disgustful picture of human wretchedness and the accidental respite of a few years' repose? Wearied with war and tired with human butchery, they sat down to rest and called it peace This certainly is not the condition that heaven intended for man, and if *this be monarchy*, well might monarchy be reckoned among the sins of the Jews

The revolutions which formerly took place in the world had nothing in them that interested the bulk of mankind They extended only to a change of persons and measures but not of principles, and rose or fell among the common transactions of the moment What we now behold may not improperly be called a "counterrevolution"

Conquest and tyranny, at some early period, dispossessed man of his rights, and he is now recovering them And as the tide of all

human affairs has its ebb and flow in directions contrary to each other, so also is it in this Government founded on a *moral theory, on a system of universal peace, on the indefeasible, hereditary rights of man*, is now revolving from West to East by a stronger impulse than the government of the sword revolved from East to West It interests not particular individuals but nations in its progress and promises a new era to the human race

The danger to which the success of revolutions is most exposed is that of attempting them before the principles on which they proceed, and the advantages to result from them, are sufficiently seen and understood Almost everything appertaining to the circumstances of a nation has been absorbed and confounded under the general and mysterious word government Though it avoids taking to its account the errors it commits, and the mischiefs it occasions, it fails not to arrogate to itself whatever has the appearance of prosperity It robs industry of its honors by pedantically making itself the cause of its effects, and purloins from the general character of man the merits that appertain to him as a social being

It may therefore be of use in this day of revolutions to discriminate between those things which are the effect of government and those which are not This will best be done by taking a review of society and civilization and the consequences resulting therefrom as things distinct from what are called governments By beginning with this investigation, we shall be able to assign effects to their proper cause and analyze the mass of common errors

OF SOCIETY AND CIVILIZATION*

Great part of that order which reigns among mankind is not the effect of government It had its origin in the principles of society and the natural constitution of man It existed prior to government, and would exist if the formality of government was abolished. The mutual dependence and reciprocal interest which man has upon man and all parts of a civilized community upon

* [Chapter I Part II]

each other create that great chain of connection which holds it together The landholder, the farmer, the manufacturer, the merchant, the tradesman, and every occupation, prospers by the aid which each receives from the other and from the whole Common interest regulates their concerns and forms their laws, and the laws which common usage ordains have a greater influence than the laws of government In fine, society performs for itself almost everything which is ascribed to government

To understand the nature and quantity of government proper for man, it is necessary to attend to his character As nature created him for social life, she fitted him for the station she intended In all cases she made his natural wants greater than his individual powers No one man is capable, without the aid of society, of supplying his own wants and those wants acting upon every individual impel the whole of them into society, as naturally as gravitation acts to a center

But she has gone further She has not only forced man into society by a diversity of wants, which the reciprocal aid of each other can supply, but she has implanted in him a system of social affections which though not necessary to his existence, are essential to his happiness There is no period in life when this love for society ceases to act It begins and ends with our being

If we examine with attention into the composition and constitution of man the diversity of his wants and the diversity of talents in different men for reciprocally accommodating the wants of each other, his propensity to society and consequently to preserve the advantages resulting from it we shall easily discover that a great part of what is called government is mere imposition

Government is no farther necessary than to supply the few cases to which society and civilization are not conveniently competent, and instances are not wanting to show that everything which government can usefully add thereto has been performed by the common consent of society without government

For upward of two years from the commencement of the American war, and to a longer period in several of the American states there were no established forms of government The old governments had been abolished, and the country was too much

occupied in defense to employ its attention in establishing new governments, yet during this interval order and harmony were preserved as inviolate as in any country in Europe

There is a natural aptness in man, and more so in society, because it embraces a greater variety of abilities and resources to accommodate itself to whatever situation it is in The instant formal government is abolished, society begins to act A general association takes place, and common interest produces common security

So far is it from being true, as has been pretended, that the abolition of any formal government is the dissolution of society, that it acts by a contrary impulse and brings the latter the closer together All that part of its organization which it had committed to its government devolves again upon itself and acts through its medium

When men, as well from natural instinct as from reciprocal benefits have habituated themselves to social and civilized life, there is always enough of its principles in practice to carry them through any changes they may find necessary or convenient to make in their government In short man is so naturally a creature of society that it is almost impossible to put him out of it

Formal government makes but a small part of civilized life, and when even the best that human wisdom can devise is established, it is a thing more in name and idea than in fact It is to the great and fundamental principles of society and civilization—to the common usage universally consented to and mutually and reciprocally maintained—to the unceasing circulation of interest, which passing through its million channels, invigorates the whole mass of civilized man—it is to these things, infinitely more than to anything which even the best instituted government can perform, that the safety and prosperity of the individual and of the whole depends

The more perfect civilization is the less occasion has it for government because the more does it regulate its own affairs and govern *itself* but so contrary is the practice of old governments to the reason of the case that the expenses of them increase in the proportion they ought to diminish It is but few general

each other create that great chain of connection which holds it together The landholder, the farmer, the manufacturer, the merchant, the tradesman, and every occupation, prospers by the aid which each receives from the other and from the whole Common interest regulates their concerns and forms their laws, and the laws which common usage ordains have a greater influence than the laws of government In fine, society performs for itself almost everything which is ascribed to government

To understand the nature and quantity of government proper for man, it is necessary to attend to his character As nature created him for social life, she fitted him for the station she intended In all cases she made his natural wants greater than his individual powers No one man is capable, without the aid of society, of supplying his own wants, and those wants acting upon every individual impel the whole of them into society, as naturally as gravitation acts to a center

But she has gone further She has not only forced man into society by a diversity of wants, which the reciprocal aid of each other can supply, but she has implanted in him a system of social affections which, though not necessary to his existence are essential to his happiness There is no period in life when this love for society ceases to act It begins and ends with our being

If we examine with attention into the composition and constitution of man, the diversity of his wants and the diversity of talents in different men for reciprocally accommodating the wants of each other, his propensity to society, and consequently to preserve the advantages resulting from it we shall easily discover that a great part of what is called government is mere imposition

Government is no farther necessary than to supply the few cases to which society and civilization are not conveniently competent, and instances are not wanting to show that everything which government can usefully add thereto has been performed by the common consent of society without government

For upward of two years from the commencement of the American war, and to a longer period in several of the American states, there were no established forms of government The old governments had been abolished, and the country was too much

means, never fail to appear in their effects As a great mass of the community are thrown thereby into poverty and discontent, they are constantly on the brink of commotion and, deprived as they unfortunately are of the means of information, are easily heated to outrage Whatever the apparent cause of any riots may be, the real one is always want of happiness It shows that something is wrong in the system of government that injures the felicity by which society is to be preserved

But as fact is superior to reasoning, the instance of America presents itself to confirm these observations If there is a country in the world where concord, according to common calculation, would be least expected, it is America Made up as it is of people from different nations,[b] accustomed to different forms and habits of government, speaking different languages, and more different in their modes of worship, it would appear that the union of such a people was impracticable, but by the simple operation of constructing government on the principles of society and the rights of man, every difficulty retires and all the parts are brought into cordial unison There the poor are not oppressed, the rich are not privileged Industry is not mortified by the splendid extravagance of a court rioting at its expense Their taxes are few because their government is just, and as there is nothing to render them wretched, there is nothing to engender riots and tumults

A metaphysical man like Mr Burke would have tortured his invention to discover how such a people could be governed He would have supposed that some must be managed by fraud, others

[b] That part of America which is generally called New England, including New Hampshire Massachusetts Rhode Island, and Connecticut, is peopled chiefly by English descendants In the State of New York, about half are Dutch, the rest English Scotch, and Irish In New Jersey a mixture of English and Dutch [illegible]
lish, a[illegible]
The s[illegible]
middl[illegible]
ated, [illegible] number of French and some few of all the European nations lying on the coast The most numerous religious denomination is the Presbyterian, but no one sect is established above another, and all men are equally citizens.

laws that civilized life requires and those of such common usefulness that whether they are enforced by the forms of government or not the effect will be nearly the same If we consider what the principles are that first condense men into society and what the motives that regulate their mutual intercourse afterward, we shall find by the time we arrive at what is called government that nearly the whole of the business is performed by the natural operation of the parts upon each other

Man with respect to all those matters is more a creature of consistency than he is aware or that governments would wish him to believe *All the great laws of society are laws of nature* Those of trade and commerce whether with respect to the intercourse of individuals or of nations are laws of mutual and reciprocal interest *They are followed and obeyed because it is the interest* of the parties so to do and not on account of any formal laws their governments may impose or interpose

But how often is the natural propensity to society disturbed or destroyed by the operations of government When the latter, instead of being ingrafted on the principles of the former assumes to exist for itself and acts by partialities of favor and oppression it becomes the cause of the mischiefs it ought to prevent

If we look back to the riots and tumults which at various times have happened in England we shall find that they did not proceed from the want of a government but that government was itself *the generating cause instead of consolidating society* it divided it it deprived it of its natural cohesion and engendered discontents and disorders which otherwise would not have existed

In those associations which men promiscuously form for the purpose of trade or of any concern in which government is totally *out of the question and in which they act merely on the principles* of society we see how naturally the various parties unite and this shows by comparison that governments so far from being always *the cause or means of order* are often the destruction of it The riots of 1780 [1] had no other source than the remains of those prejudices which the government itself *had* encouraged But with respect to England there are also other causes

Excess and inequality of taxation however disguised in the

ciety as the means of universal commerce The one measures its prosperity by the quantity of revenue it extorts, the other proves its excellence by the small quantity of taxes it requires

Mr Burke has talked of "old and new Whigs" If he can amuse himself with childish names and distinctions, I shall not interrupt his pleasure It is not to him, but to Abbe Sieyès,[2] that I address this chapter I am already engaged to the latter gentleman to discuss the subject of monarchical government, and as it naturally occurs in comparing the old and new systems, I make this the opportunity of presenting to him my observations I shall occasionally take Mr Burke in my way

Though it might be proved that the system of government now called the 'new' is the most ancient in principle of all that have existed, being founded on the original inherent rights of man yet, as tyranny and the sword have suspended the exercise of those rights for many centuries past it serves better the purpose of distinction to call it a new' than to claim the right of calling it the old

The first general distinction between those two systems is that the one now called the old is *hereditary*, either in whole or in part and the new is entirely *representative* It rejects all hereditary government

First, as being an imposition on mankind

Secondly as being inadequate to the purposes for which government is necessary

With respect to the first of these heads It cannot be proved by what right hereditary government could begin neither does there exist within the compass of mortal power a right to establish it Man has no authority over posterity in matters of personal right and therefore no man or body of men had or can have a right to set up hereditary government Were even ourselves to come again into existence, instead of being succeeded by posterity we have not now the right of taking from ourselves the rights which would then be ours On what ground, then, do we pretend to take them from others?

All hereditary government is in its nature tyranny A heritable

by force, and all by some contrivance, that genius must be hired to impose upon ignorance, and show and parade to fascinate the vulgar Lost in the abundance of his researches, he would have resolved and re resolved, and finally overlooked the plain and easy road that lay directly before him

One of the great advantages of the American Revolution has been that it led to a discovery of the principles and laid open the imposition of governments All the revolutions till then had been worked within the atmosphere of a court, and never on the great floor of a nation The parties were always of the class of courtiers, and whatever was their rage for reformation, they carefully pre served that fraud of the profession

In all cases they took care to represent government as a thing made up of mysteries, which only themselves understood, and they hid from the understanding of the nation the only thing that was beneficial to know, namely, *that government is nothing more than a national association acting on the principles of society*

Having thus endeavored to show that the social and civilized state of man is capable of performing within itself almost everything necessary to its protection and government, it will be proper, on the other hand, to take a review of the present old governments and examine whether their principles and practice are corre spondent thereto

OF THE OLD AND NEW SYSTEMS OF GOVERNMENT [e]

Nothing can appear more contradictory than the principles on which the old governments began and the condition to which society, civilization and commerce are capable of carrying man kind Government on the old system is an assumption of power for the aggrandizement of itself on the new, a delegation of power for the common benefit of society The former supports itself by keeping up a system of war, the latter promotes a sys tem of peace as the true means of enriching a nation The one encourages national prejudices, the other promotes universal so

[e] [Part II Chapter III]

invariably appertain to hereditary succession, the objections to it would be removed, but when we see that nature acts as if she disowned and sported with the hereditary system, that the mental characters of successors in all countries are below the average of human understanding, that one is a tyrant, another an idiot, a third insane, and some all three together, it is impossible to attach confidence to it when reason in man has power to act

It is not to the Abbe Sieyes that I need apply this reasoning, he has already saved me that trouble by giving his own opinion upon the case "If it be asked," says he, "what is my opinion with respect to hereditary right, I answer without hesitation that, in good theory, a hereditary transmission of any power or office can never accord with the laws of a true representation Hereditaryship is, in this sense, as much an attaint upon principle as an outrage upon society But let us," continues he, "refer to the history of all elective monarchies and principalities, is there one in which the elective mode is not worse than the hereditary succession?"

As to debating on which is the worse of the two is admitting both to be bad, and herein we are agreed The preference which the Abbé has given is a condemnation of the thing he prefers Such a mode of reasoning on such a subject is inadmissible, because it finally amounts to an accusation upon Providence, as if she had left to man no other choice with respect to government than between two evils, the best of which he admits to be "an attaint upon principle and an outrage upon society"

Passing over, for the present, all the evils and mischiefs which monarchy has occasioned in the world, nothing can more effectually prove its uselessness in a state of *civil government* than making it hereditary Would we make any office hereditary that required wisdom and abilities to fill it? And where wisdom and abilities are not necessary, such an office, whatever it may be, is superfluous or insignificant

Heredi tary [illegible]

[illegible] mechanic, but to be a king requires only the animal figure of

crown or a heritable throne, or by what other fanciful name such things may be called, have no other significant explanation than that mankind are heritable property To inherit a government is to inherit the people, as if they were flocks and herds

With respect to the second head, that of being inadequate to the purposes for which government is necessary, we have only to consider what government essentially is and compare it with the circumstances to which hereditary succession is subject Government ought to be a thing always in maturity It ought to be so constructed as to be superior to all the accidents to which individual man is subject, and therefore hereditary succession, by being *subject to them all,* is the most irregular and imperfect of all the systems of government

We have heard the rights of man called a *leveling* system, but the only system to which the word "leveling" is truly applicable is the hereditary monarchical system It is a system of *mental leveling* It indiscriminately admits every species of character to the same authority Vice and virtue, ignorance and wisdom, in short, every quality, good or bad, is put on the same level Kings succeed each other, not as rationals, but as animals It signifies not what their mental or moral characters are

Can we then be surprised at the abject state of the human mind in monarchical countries when the government itself is formed on such an abject leveling system? It has no fixed character Today it is one thing, tomorrow it is something else It changes with the temper of every succeeding individual and is subject to all the varieties of each It is government through the medium of passions and accidents

It appears under all the various characters of childhood, decrepitude, dotage, a thing at nurse, in leading strings, or on crutches It reverses the wholesome order of nature It occasionally puts children over men, and the conceits of nonage over wisdom and experience *In short we cannot conceive a more ridiculous figure of government than hereditary succession, in all its cases, presents*

Could it be made a decree in nature or an edict registered in heaven, and man could know it that virtue and wisdom should

kind, to the same cause It is by adding the evil of hereditary succession to that of monarchy that a permanent family interest is created whose constant objects are dominion and revenue Poland, though an elective monarchy, has had fewer wars than those which are hereditary, and it is the only government that has made a voluntary essay, though but a small one, to reform the condition of the country

Having thus glanced at a few of the defects of the old or hereditary system of government, let us compare it with the new or representative system

The representative system takes society and civilization for its basis, nature, reason, and experience for its guide

Experience, in all ages, and in all countries, has demonstrated that it is impossible to control nature in her distribution of mental powers She gives them as she pleases Whatever is the rule by which she, apparently to us, scatters them among mankind, that rule remains a secret to man It would be as ridiculous to attempt to fix the hereditaryship of human beauty as of wisdom

Whatever wisdom constituently is, it is like a seedless plant, it may be reared when it appears, but it cannot be voluntarily produced There is always a sufficiency somewhere in the general mass of society for all purposes, but with respect to the parts of society, it is continually changing its place It rises in one today, in another tomorrow, and has most probably visited in rotation every family of the earth and again withdrawn

As this is the order of nature the order of government must necessarily follow it, or government will, as we see it does, degenerate into ignorance The hereditary system, therefore, is as repugnant to human wisdom as to human rights and is as absurd as it is unjust

As the republic of letters brings forward the best literary productions by giving to genius a fair and universal chance, so the representative system of government is calculated to produce the wisest laws by collecting wisdom where it can be found I smile to myself when I contemplate the ridiculous insignificance into which literature and all the sciences would sink were they made hereditary, and I carry the same idea into governments A heredi-

a man—a sort of breathing automaton This sort of superstition may last a few years more but it cannot long resist the awakened reason and interest of man

As to Mr Burke he is a stickler for monarchy not altogether as a pensioner—if he is one which I believe—but as a political man He has taken up a contemptible opinion of mankind who in their turn are taking up the same of him He considers them as a herd of beings that must be governed by fraud effigy and show and an idol would be as good a figure of monarchy with him as a man I will however do him the justice to say that with respect to America he has been very complimentary He always contended at least in my hearing that the people of America are more enlightened than those of England or of any other country in Europe and that therefore the imposition of show was not necessary in their government

Though the comparison between hereditary and elective monarchy which the Abbé has made is unnecessary to the case because the representative system rejects both yet were I to make the comparison I should decide contrary to what he has done

The civil wars which have originated from contested hereditary claims are numerous and have been more dreadful and of longer continuance than those which have been occasioned by election All the civil wars in France arose from the hereditary system they were either produced by hereditary claims or by the imperfection of the hereditary form which admits of regencies or monarchies at nurse

With respect to England its history is full of the same misfortunes The contests for succession between the houses of York and Lancaster lasted a whole century and others of a similar nature have renewed themselves since that period Those of 1715 and 1745[8] were of the same kind The succession war for the crown of Spain embroiled almost half of Europe The disturbances in Holland are generated from the hereditaryship of the stadtholder A government calling itself free with a hereditary office is like a thorn in the flesh that produces a fermentation which endeavors to discharge it

But I might go further and place also foreign wars of whatever

kind, to the same cause It is by adding the evil of hereditary succession to that of monarchy that a permanent family interest is created whose constant objects are dominion and revenue Poland, though an elective monarchy, has had fewer wars than those which are hereditary, and it is the only government that has made a voluntary essay, though but a small one, to reform the condition of the country

Having thus glanced at a few of the defects of the old or hereditary system of government, let us compare it with the new or representative system

The representative system takes society and civilization for its basis, nature, reason, and experience for its guide

Experience, in all ages, and in all countries, has demonstrated that it is impossible to control nature in her distribution of mental powers She gives them as she pleases Whatever is the rule by which she, apparently to us, scatters them among mankind, that rule remains a secret to man It would be as ridiculous to attempt to fix the hereditaryship of human beauty as of wisdom

Whatever wisdom constituently is, it is like a seedless plant, it may be reared when it appears, but it cannot be voluntarily produced There is always a sufficiency somewhere in the general mass of society for all purposes, but with respect to the parts of society, it is continually changing its place It rises in one today, in another tomorrow, and has most probably visited in rotation every family of the earth and again withdrawn

As this is the order of nature the order of government must necessarily follow it, or government will, as we see it does, degenerate into ignorance The hereditary system, therefore, is as repugnant to human wisdom as to human rights and is as absurd as it is unjust

As the republic of letters brings forward the best literary productions by giving to genius a fair and universal chance, so the representative system of government is calculated to produce the wisest laws by collecting wisdom where it can be found I smile to myself when I contemplate the ridiculous insignificance into which literature and all the sciences would sink were they made hereditary, and I carry the same idea into governments A heredi-

tary governor is as inconsistent as a hereditary author I know not whether Homer or Euclid had sons, but I will venture an opinion that if they had, and had left their works unfinished, those sons could not have completed them

Do we need a stronger evidence of the absurdity of hereditary government than is seen in the descendants of those men in any line of life, who once were famous? Is there scarcely an instance in which there is not a total reverse of character? It appears as if the tide of mental faculties flowed as far as it could in certain channels, and then forsook its course and arose in others How irrational then is the hereditary system which establishes channels of power, in company with which wisdom refuses to flow! By continuing this absurdity, man is perpetually in contradiction with himself, he accepts for a king or a chief magistrate or a legislator a person whom he would not elect for a constable

It appears to general observation that revolutions create genius and talents, but those events do no more than bring them forward There is existing in man a mass of sense lying in a dormant state and which, unless something excites it to action, will descend with him, in that condition to the grave As it is to the advantage of society that the whole of its faculties should be employed, the construction of government ought to be such as to bring forward, by a quiet and regular operation, all that extent of capacity which never fails to appear in revolutions

This cannot take place in the insipid state of hereditary government, not only because it prevents but because it operates to benumb When the mind of a nation is bowed down by any political superstition in its government such as hereditary succession is, it loses a considerable portion of its powers on all other subjects and objects

Hereditary succession requires the same obedience to ignorance as to wisdom and when once the mind can bring itself to pay this indiscriminate reverence it descends below the stature of mental manhood It is fit to be great only in little things It acts a treachery upon itself and suffocates the sensations that urge to detection

Though the ancient governments present to us a miserable pic-

ture of the condition of man, there is one which, above all others, exempts itself from the general description I mean the democracy of the Athenians We see more to admire and less to condemn in that great, extraordinary people than in anything which his tory affords

Mr Burke is so little acquainted with constituent principles of government that he confounds democracy and representation to gether Representation was a thing unknown in the ancient democracies In those the mass of the people met and enacted laws (grammatically speaking) in the first person

Simple democracy was no other than the common hall of the ancients It signifies the *form* as well as the public principle of the government As these democracies increased in population and the territory extended, the simple democratical form became unwieldy and impracticable, and as the system of representation was not known, the consequence was they either degenerated convulsively into monarchies or became absorbed into such as then existed

Had the system of representation been then understood as it now is there is no reason to believe that those forms of gov ernment now called monarchical and aristocratical would ever have taken place It was the want of some method to consolidate the parts of society, after it became too populous and too ex tensive for the simple democratical form, and also the lax and solitary condition of shepherds and herdsmen in other parts of the world, that afforded opportunities to those unnatural modes of government to begin

As it is necessary to clear away the rubbish of errors into which the subject of government has been thrown, I shall proceed to remark on some others

It has always been the political craft of courtiers and court governments to abuse something which they called "republicanism," but what republicanism was or is they never attempt to explain Let us examine a little into this case

The only forms of government are the democratical, the aris tocratical the monarchical, and what is now called the representative

What is called a "republic" is not any *particular form* of govern-

tary governor is as inconsistent as a hereditary author I know not whether Homer or Euclid had sons, but I will venture an opinion that if they had, and had left their works unfinished, *those sons could not have completed them*

Do we need a stronger evidence of the absurdity of hereditary government than is seen in the descendants of those men, in any line of life, who once were famous? Is there scarcely an instance in which there is not a total reverse of character? It appears as if the tide of mental faculties flowed as far as it could in certain channels, and then forsook its course and arose in others How irrational then is the hereditary system which establishes channels of power, in company with which wisdom refuses to flow! By continuing this absurdity, man is perpetually in contradiction with himself, he accepts for a king or a chief magistrate or a legislator a person whom he would not elect for a constable

It appears to general observation that revolutions create genius and talents, but those events do no more than bring them forward There is existing in man a mass of sense lying in a dormant state and which, unless something excites it to action, will descend with him, in that condition, to the grave As it is to the advantage of society that the whole of its faculties should be employed, the construction of government ought to be such as to bring forward, by a quiet and regular operation all that extent of capacity which never fails to appear in revolutions

This cannot take place in the insipid state of hereditary government, not only because it prevents but because it operates to benumb When the mind of a nation is bowed down by any political superstition in its government, such as hereditary succession is, it loses a considerable portion of its powers on all other subjects and objects

Hereditary succession requires the same obedience to ignorance as to wisdom, and when once the mind can bring itself to pay this indiscriminate reverence it descends below the stature of mental manhood It is fit to be great only in little things It acts a treachery upon itself and suffocates the sensations that urge to detection

Though the ancient governments present to us a miserable pic-

and population And, in the second place, if they meant anything with respect to *form*, it was the simple democratical form, such as was the mode of government in the ancient democracies, in which there was no representation The case, therefore, is not that a republic cannot be extensive, but that it cannot be extensive on the simple democratical form, and the question naturally presents itself, 'What is the best form of government for conducting the *res publica*, or the public business of a nation, after it becomes too extensive and populous for the simple democratical form?"

It cannot be monarchy, because monarchy is subject to an objection of the same amount to which the simple democratical form was subject

It is possible that an individual may lay down a system of principles on which government shall be constitutionally established to any extent of territory This is no more than an operation of the mind acting by its own powers But the practice upon those principles, as applying to the various and numerous circumstances of a nation, its agriculture, manufacture, trade, commerce, etc, requires a knowledge of a different kind and which can be had only from the various parts of society

It is an assemblage of practical knowledge which no one individual can possess, and therefore the monarchical form is as much limited in useful practice from the incompetency of knowledge as was the democratical form from the multiplying of population The one degenerates, by extension, into confusion, the other, into ignorance and incapacity, of which all the great monarchies are in evidence The monarchical form, therefore, could not be a substitute for the democratical, because it has equal inconveniences

Much less could it when made hereditary This is the most effectual of all forms to preclude knowledge Neither could the high democratical mind have voluntarily yielded itself to be governed by children and idiots and all the motley insignificance of character which attends such a mere animal system, the disgrace and the reproach of reason and of man

As to the aristocratical form, it has the same vices and defects with the monarchical, except that the chance of abilities is better

ment It is wholly characteristical of the purport, matter, or object for which a government ought to be instituted and on which it is to be employed *res publica*, "the public affairs," or "the public good" or, literally translated, the "public thing"

It is a word of a good original referring to what ought to be the character and business of government and in this sense it is naturally opposed to the word 'monarchy, which has a base original signification It means arbitrary power in an individual person, in the exercise of which *himself*, and not the *res publica*, is the object

Every government that does not act on the principle of a *re public* or in other words that does not make the *res publica* its whole and sole object, is not a good government Republican government is no other than government established and conducted for the interest of the public as well individually as collectively It is not necessarily connected with any particular form but it most naturally associates with the representative form as being best calculated to secure the end for which a nation is at the expense of supporting it

Various forms of government have affected to style themselves a republic Poland calls itself a republic which is a hereditary aristocracy with what is called an elective monarchy Holland calls itself a republic which is chiefly aristocratical with a hereditary stadtholdership

But the government of America, which is wholly on the system of representation is the only real republic in character and practice that now exists Its government has no other object than the public business of the nation and therefore it is properly a republic and the Americans have taken care that *this* and no other, shall always be the object of the government by their rejecting everything hereditary and establishing government on the system of representation only

Those who have said that a republic is not a *form* of government calculated for countries of great extent mistook in the first place, the *business* of a government for a *form* of government for the *res publica* equally appertains to every extent of territory

That which is called government, or rather that which we ought to conceive government to be, is no more than some common center in which all the parts of society unite This cannot be accomplished by any method so conducive to the various interests of the community as by the representative system

It concentrates the knowledge necessary to the interests of the parts and of the whole It places government in a state of constant maturity It is, as has been already observed never young never old. It is subject neither to nonage nor dotage It is never in the cradle nor on crutches It admits not of a separation between knowledge and power, and is superior as government always ought to be to all the accidents of individual man, and is therefore superior to what is called monarchy

A nation is not a body the figure of which is to be represented by the human body, but is like a body contained within a circle having a common center in which every radius meets, and that center is formed by representation To connect representation with what is called monarchy is eccentric government Representation is of itself the delegated monarchy of a nation and cannot debase itself by dividing it with another

Mr Burke has two or three times in his parliamentary speeches and in his publications, made use of a jingle of words that convey no ideas Speaking of government he says it is better to have monarchy for its basis and republicanism for its corrective than republicanism for its basis and monarchy for its corrective" If he means that it is better to correct folly with wisdom than wisdom with folly, I will not otherwise contend with him than that it would be much better to reject the folly entirely

But what is this thing that Mr Burke calls monarchy? Will he explain it? All men can understand what representation is, and that it must necessarily include a variety of knowledge and talents But what security is there for the same qualities on the part of monarchy? Or when this monarchy is a child, where then is the wisdom? What does it know about government? Who then is the monarch or where is the monarchy? If it is to be performed by regency it proves to be a farce

A regency is a mock species of republic and the whole of mon

from the proportion of numbers, but there is still no security for the right use and application of them [d]

Referring then to the original simple democracy it affords the true data from which government on a large scale can begin It is incapable of extension not from its principle but from the inconvenience of its form and monarchy and aristocracy, from their incapacity *Retaining then democracy as the ground and rejecting the corrupt systems of monarchy and aristocracy* the representative system naturally presents itself remedying at once the defects of the simple democracy as to form and the incapacity of the other two with respect to knowledge

Simple democracy was society governing itself without the aid of secondary means By ingrafting representation upon democracy we arrive at a system of government capable of embracing and confederating all the various interests and every extent of territory *and population and that also with advantages as much* superior to hereditary government as the republic of letters is to hereditary literature

It is on this system that the American government is founded It is representation ingrafted upon democracy It has fixed the form by a scale parallel in all cases to the extent of the principle What Athens was in miniature America will be in magnitude The one was the wonder of the ancient world the other is becoming the admiration and model of the present It is the easiest of all the forms of government to be understood and the most eligible in practice and excludes at once the ignorance and in*security of the hereditary mode and the inconvenience of the sim*ple democracy

It is impossible to conceive a system of government capable of acting over such an extent of territory and such a circle of interests as is immediately produced by the operation of representation France great and popular as it is is but a spot in the capaciousness of the system It adapts itself to all possible cases It is preferable to simple democracy even in small territories Athens by representation would have outrivaled her own democracy

[d] For a character of aristocracy the reader is referred to Rights of Man Part I page [88]

man becomes matured and he has lived long enough to be acquainted with men and things and the country with him

But on the monarchial plan (exclusive of the numerous chances there are against every man born into the world of drawing a prize in the lottery of human faculties) the next in succession, whatever he may be, is put at the head of a nation and of a government at the age of eighteen years

Does this appear like an act of wisdom? Is it consistent with the proper dignity and the manly character of a nation? Where is the propriety of calling such a lad the father of the people? In all other cases a person is a minor until the age of twenty-one years Before this period he is not trusted with the management of an acre of land, or with the heritable property of a flock of sheep or a herd of swine, but, wonderful to tell! he may, at the age of eighteen years, be trusted with a nation

That monarchy is all a bubble, a mere court artifice to procure money, is evident (at least to me) in every character in which it can be viewed It would be impossible on the rational system of representative government, to make out a bill of expenses to such an enormous amount as this deception admits Government is not of itself a very chargeable institution The whole expense of the Federal Government of America founded, as I have already said, on the system of representation and extending over a country nearly ten times as large as England, is but six hundred thousand dollars or one hundred and thirty thousand pounds sterling

I presume that no man in his sober senses will compare the character of any of the kings of Europe with that of General Washington Yet in France and also in England, the expense of the civil list only for the support of one man is eight times greater than the whole expense of the Federal Government in America To assign a reason for this appears almost impossible The generality of people in America especially the poor, are more able to pay taxes than the generality of people either in France or England But the case is that the representative system diffuses such a body of knowledge throughout a nation on the subject of government as to explode ignorance and preclude imposition The craft of courts cannot be acted on that ground There is no place

archy deserves no better description It is a thing as various as imagination can paint It has none of the stable character that government ought to possess Every succession is a revolution, and every regency a counterrevolution The whole of it is a scene of perpetual court cabal and intrigue, of which Mr Burke is himself an instance

To render monarchy consistent with government, the next in succession should not be born a child but a man at once, and that man a Solomon It is ridiculous that nations are to wait and government be interrupted till boys grow to be men

Whether I have too little sense to see or too much to be imposed upon, whether I have too much or too little pride or of anything else I leave out of the question but certain it is that what is called monarchy always appears to me a silly contemptible thing I compare it to something kept behind a curtain about which there is a great deal of bustle and fuss and a wonderful air of seeming solemnity, but when by any accident the curtain happens to open and the company see what it is they burst into laughter

In the representative system of government nothing of this can happen Like the nation itself it possesses a perpetual stamina, as well of body as of mind and presents itself on the open theater of the world in a fair and manly manner Whatever are its excellences or its defects, they are visible to all It exists not by fraud and mystery it deals not in cant and sophistry but inspires a language that passing from heart to heart is felt and understood

We must shut our eyes against reason we must basely degrade our understanding not to see the folly of what is called monarchy Nature is orderly in all her works but this is a mode of government that counteracts nature It turns the progress of the human faculties upside down It subjects age to be governed by children and wisdom by folly On the contrary the representative system is always parallel with the order and immutable laws of nature and meets the reason of man in every part For example

In the American Federal Government more power is delegated to the President of the United States than to any other individual member of Congress * He cannot therefore be elected to this office under the age of thirty five years By this time the judgment of

the facts that have arisen in our own day We have no occasion to roam for information into the obscure field of antiquity, nor hazard ourselves upon conjecture We are brought at once to the point of seeing government begin, as if we had lived in the beginning of time The real volume, not of history but of facts, is directly before us, unmutilated by contrivance or the errors of tradition

I will here concisely state the commencement of the American constitutions, by which the difference between constitutions and government will sufficiently appear

It may not be improper to remind the reader that the United States of America consist of thirteen separate states, each of which established a government for itself after the Declaration of Independence, done the fourth of July, 1776 Each state acted independently of the rest in forming its government, but the same general principle pervades the whole When the several state governments were formed, they proceeded to form the Federal Government, that acts over the whole in all matters which concern the interest of the whole or which relate to the intercourse of the several states with each other or with foreign nations I will begin with giving an instance from one of the state governments (that of Pennsylvania) and then proceed to the Federal Government

The state of Pennsylvania, though nearly of the same extent of territory as England, was then divided into only twelve counties Each of those counties had elected a committee at the commencement of the dispute with the English government, and as the city of Philadelphia, which also had its committee, was the most central for intelligence, it became the center of communication to the several county committees When it became necessary to proceed to the formation [illegible]
Proposed a [illegible]
that city, a [illegible]

Though these committees had been elected by the people, they were not elected expressly for the purpose, nor invested with the authority of forming a constitution and as they could not, consistently with the American idea of rights, assume such a power, they could only confer upon the matter and put it into a train of

for mystery, nowhere for it to begin Those who are not in the representation know as much of the nature of business as those who are An affectation of mysterious importance would there be scouted Nations can have no secrets, and the secrets of courts, like those of individuals, are always their defects

In the representative system, the reason for everything must publicly appear Every man is a proprietor in government and considers it a necessary part of his business to understand It concerns his interest, because it affects his property He examines the cost and compares it with the advantages and above all, he does not adopt the slavish custom of following what in other governments are called leaders

It can only be by blinding the understanding of man, and making him believe that government is some wonderful mysterious thing, that excessive revenues are obtained Monarchy is well calculated to ensure this end It is the popery of government a thing kept up to amuse the ignorant and quiet them into paying taxes

The government of a free country, properly speaking is not in the persons but in the laws The enacting of those requires no great expense, and when they are administered, the whole of civil government is performed—the rest is all court contrivance

OF CONSTITUTIONS *

That men mean distinct and separate things when they speak of constitutions and of government is evident, or why are those terms distinctly and separately used? A constitution is not the act of a government but of a people constituting a government, and government without a constitution is power without a right

All power exercised over a nation must have some beginning It must be either delegated or assumed There are no other sources All delegated power is trust and all assumed power is usurpation *Time does not alter the nature and quality of either*

In viewing this subject the case and circumstances of America present themselves as in the beginning of the world and our inquiry into the origin of government is shortened by referring to

* [Chapter IV Part II]

the constitution and making alterations, additions, or abolitions therein, if any such should be found necessary

Here we see a regular process—a government issuing out of a constitution, formed by the people in their original character, and that constitution serving, not only as an authority, but as a law of control to the government It was the political bible of the state Scarcely a family was without it Every member of the government had a copy, and nothing was more common when any debate arose on the principle of a bill, or on the extent of any species of authority, than for the members to take the printed constitution out of their pocket and read the chapter with which such a matter in debate was connected

Having thus given an instance from one of the states, I will show the proceedings by which the Federal Constitution of the United States arose and was formed

Congress, at its two first meetings in September 1774 and May 1775, was nothing more than a deputation from the legislatures of the several provinces, afterward states, and had no other authority than what arose from common consent and the necessity of its acting as a public body In everything which related to the internal affairs of America, Congress went no farther than to issue recommendations to the several provincial assemblies, who at discretion adopted them or not

Nothing on the part of Congress was compulsive, yet, in this situation, it was more faithfully and affectionately obeyed than was any government in Europe This instance, like that of the National Assembly of France, sufficiently shows that the strength of government does not consist in anything *within* itself, but in the attachment of a nation and the interest which the people feel in supporting it When this is lost government is but a child in power, and though like the old government of France, it may harass individuals for a while, it but facilitates its own fall

After the Declaration of Independence, it became consistent with the principle on which representative government is founded that the authority of Congress should be defined and established Whether that authority should be more or less than Congress then

operation The conferees, therefore, did no more than state the case and recommend to the several counties to elect six representatives for each county, to meet in convention at Philadelphia, with powers to form a constitution and propose it for public consideration

This convention, of which Benjamin Franklin[5] was president, having met and deliberated and agreed upon a constitution they next ordered it to be published, not as a thing established but for the consideration of the whole people, their approbation or rejection, and then adjourned to a stated time

When the time of the adjournment was expired, the convention re assembled, and as the general opinion of the people in approbation of it was then known, the constitution was signed, sealed and proclaimed on the *authority of the people*, and the original instrument deposited as a public record

The convention then appointed a day for the general election of the representatives who were to compose the Government and the time it should commence, and having done this they dissolved and returned to their several homes and occupations

In this constitution were laid down, first, a declaration of rights Then followed the form which the government should have and the powers it should possess the authority of the courts of judicature and of juries the manner in which elections should be conducted and the proportion of representatives to the number of electors, the time which each succeeding assembly should continue, which was one year the mode of levying and of accounting for the expenditure of public money, of appointing public officers, etc

No article of this constitution could be altered or infringed at the discretion of the government that was to ensue It was to that government a law But as it would have been unwise to preclude the benefit of experience, and in order also to prevent the accumulation of errors, if any should be found, and to preserve a unison of government with the circumstances of the state at all times the constitution provided that, at the expiration of every seven years a convention should be elected for the express purpose of revising

the constitution and making alterations additions or abolitions therein, if any such should be found necessary

Here we see a regular process—a government issuing out of a constitution formed by the people in their original character, and that constitution serving not only as an authority, but as a law of control to the government It was the political bible of the state Scarcely a family was without it Every member of the government had a copy, and nothing was more common when any debate arose on the principle of a bill or on the extent of any species of authority, than for the members to take the printed constitution out of their pocket and read the chapter with which such a matter in debate was connected

Having thus given an instance from one of the states I will show the proceedings by which the Federal Constitution of the United States arose and was formed

Congress at its two first meetings in September 1774 and May 1775 was nothing more than a deputation from the legislatures of the several provinces afterward states and had no other authority than what arose from common consent and the necessity of its acting as a public body In everything which related to the internal affairs of America Congress went no farther than to issue recommendations to the several provincial assemblies who at discretion adopted them or not.

Nothing on the part of Congress was compulsive yet in this situation it was more faithfully and affectionately obeyed than was any government in Europe This instance like that of the National Assembly of France sufficiently shows that the strength of government does not consist in anything *within* itself, but in the attachment of a nation and the interest which the people feel in supporting it. When this is lost government is but a child in power and though like the old government of France it may harass individuals for a while it but facilitates its own fall

After the Declaration of Independence it became consistent with the principle on which representative government is founded that the authority of Congress should be defined and established Whether that authority should be more or less than *Congress then*

operation The conferees, therefore, did no more than state the case and recommend to the several counties to elect six representatives for each county, to meet in convention at Philadelphia, with powers to form a constitution and propose it for public consideration

This convention, of which Benjamin Franklin[5] was president, having met and deliberated and agreed upon a constitution, they next ordered it to be published, not as a thing established but for the consideration of the whole people, their approbation or rejection, and then adjourned to a stated time

When the time of the adjournment was expired, the convention re assembled, and as the general opinion of the people in approbation of it was then known, the constitution was signed, sealed, and proclaimed on the *authority of the people*, and the original instrument deposited as a public record

The convention then appointed a day for the general election of the representatives who were to compose the Government and the time it should commence, and having done this, they dissolved *and returned to their several homes and occupations*

In this constitution were laid down, first, a declaration of rights Then followed the form which the government should have and the powers it should possess the authority of the courts of judicature and of juries, the manner in which elections should be conducted *and the proportion of representatives to the number of* electors, the time which each succeeding assembly should continue, which was one year, the mode of levying and of accounting for the expenditure of public money of appointing public officers, etc

No article of this constitution could be altered or infringed at the discretion of the government that was to ensue It was to that government a law But as it would have been unwise to preclude the benefit of experience, and in order also to prevent the accumulation of errors, *if any should be found, and to preserve a unison* of government with the circumstances of the state at all times, the constitution provided that at the expiration of every seven years a convention should be elected for the express purpose of revising

Numerous publications, in pamphlets and in the newspapers, appeared on the propriety and necessity of new modeling the Federal Government After some time of public discussion, carried on through the channel of the press and in conversations, the state of Virginia experiencing some inconvenience with respect to commerce, proposed holding a continental conference, in consequence of which a deputation from five or six of the state assemblies met at Annapolis in Maryland in 1786

This meeting, not conceiving itself sufficiently authorized to go into the business of reform, did no more than state their general opinions of the propriety of the measure, and recommended that a convention of all the states should be held the year following

This convention met at Philadelphia in May, 1787, of which General Washington was elected President He was not at that time connected with any of the state governments or with Congress He delivered up his commission when the war ended and since then had lived a private citizen The convention went deeply into all the subjects, and having after a variety of debate and investigation, agreed among themselves upon the several parts of a Federal Constitution, the next question was the manner of giving it authority and practice

For this purpose, they did not, like a cabal of courtiers, send for a Dutch stadtholder or a German elector [6] but they referred the whole matter to the sense and interest of the country

They first directed that the proposed Constitution should be published Secondly, that each state should elect a convention expressly for the purpose of taking it into consideration and of ratifying or rejecting it, and that as soon as the approbation and ratification of any nine states should be given, that those states should proceed to the election of their proportion of members to the new Federal Government and that the operation of it should then begin and the former Federal Government cease

The several states proceeded accordingly to elect their conventions Some of those conventions ratified the Constitution by very large majorities and two or three unanimously In others there were much debate and division of opinion In the Massachusetts Convention which met at Boston, the *majority was not above*

discretionally exercised was not the question It was merely the rectitude of the measure

For this purpose, the act called the Act of Confederation (which was a sort of imperfect federal constitution) was proposed and after long deliberation, was concluded in the year 1781 It was not the act of Congress, because it is repugnant to the principles of representative government that a body should give power to itself Congress first informed the several states of the powers which it conceived were necessary to be invested in the union, to enable it to perform the duties and services required from it, and the states severally agreed with each other and concentrated in Congress those powers

It may not be improper to observe that in both those instances (the one of Pennsylvania and the other of the United States) there is no such thing as the idea of a compact between the people on one side and the government on the other The compact was that of the people with each other, to produce and constitute a government

To suppose that any government can be a party in a compact with the whole people is to suppose it to have existence before it can have a right to exist The only instance in which a compact can take place between the people and those who exercise the government is that the people shall pay them while they choose to employ them

Government is not a trade which any man or body of men has a right to set up and exercise for his own emolument, but is altogether a trust, in right of those by whom that trust is delegated and by whom it is always resumable It has of itself no rights, they are altogether duties

Having thus given two instances of the original formation of a constitution, I will show the manner in which both have been changed since their first establishment

The powers vested in the governments of the several states by the state constitutions were found, upon experience, to be too great, and those vested in the Federal Government by the Act of Confederation too little The defect was not in the principle, but in the distribution of power

no right to make itself a party in any debates respecting the principles or mode of forming or of changing constitutions

It is not for the benefit of those who exercise the powers of government that constitutions and the governments issuing from them are established In all those matters the right of judging and acting are in those who pay and not in those who receive

A constitution is the property of a nation and not of those who exercise the government. All the constitutions of America are declared to be established on the authority of the people In France the word nation" is used instead of the people but in both cases a constitution is a thing antecedent to the government and always distinct therefrom

In England it is not difficult to perceive that everything has a constitution except the nation Every society and association that is established first agreed upon a number of original articles digested into form, which are its constitution It then appointed its officers whose powers and authorities are described in that constitution and the government of that society then commenced Those officers, by whatever name they are called have no authority to add to alter or abridge the original articles It is only to the constituting power that this right belongs

[GOVERNMENT BY REPRESENTATION VERSUS GOVERNMENT BY PRECEDENT]

From the want of a constitution in England to restrain and regulate the wild impulse of power many of the laws are irrational and tyrannical and the administration of them vague and problematical

The attention of the government of England (for I rather choose to call it by this name than the English government) appears since its political connection with Germany [8] to have been so completely engrossed and absorbed by foreign affairs and the means of raising taxes that it seems to exist for no other purposes Domestic concerns are neglected and with respect to regular law there is scarcely such a thing

nineteen or twenty in about three hundred members, but such is the nature of representative government that it quietly decides all matters by majority

After the debate in the Massachusetts Convention was closed and the vote taken, the objecting members rose and declared

> That though they had argued and voted against it because certain parts appeared to them in a different light to what they appeared to other members yet as the vote had decided in favor of the Constitution as proposed they should give it the same practical support as if they had voted for it

As soon as nine states[7] had concurred (and the rest followed in the order their conventions were elected) the old fabric of the Federal Government was taken down and the new one elected of which General Washington is President In this place I cannot help remarking that the character and services of this gentleman are sufficient to put all those men called kings to shame

While they are receiving from the sweat and labors of mankind a prodigality of pay to which neither their abilities nor their services can entitle them he is rendering every service in his power and refusing every pecuniary reward He accepted no pay as Commander in Chief he accepts none as President of the United States

After the new Federal Constitution was established the state of Pennsylvania conceiving that some parts of its own constitution required to be altered elected a convention for that purpose The proposed alterations were published and the people concurring therein they were established

In forming those constitutions or in altering them little or no inconvenience took place The ordinary course of things was not interrupted and the advantages have been much It is always the interest of a far greater number of people in a nation to have things right than to let them remain wrong and when public matters are open to debate and the public judgment free it will not decide wrong unless it decides too hastily

In the two instances of changing the constitutions the governments then in being were not actors either way Government has

ghosts of departed wisdom? How strangely is antiquity treated! To answer some purposes it is spoken of as the times of darkness and ignorance, and to answer others it is put for the light of the world

If the doctrine of precedents is to be followed, the expenses of government need not continue the same Why pay men extravagantly who have but little to do? If everything that can happen is already in precedent legislation is at an end and precedent, like a dictionary determines every case Either, therefore, government has arrived at its dotage and requires to be renovated or all the occasions for exercising its wisdom have occurred

We now see all over Europe and particularly in England the curious phenomenon of a nation looking one way and the government the other—the one forward and the other backward If governments are to go on by precedent while nations go on by improvement they must at last come to a final separation and the sooner and the more civilly they determine this point, the better it will be for them [f]

Having thus spoken of constitutions generally as things distinct from actual governments let us proceed to consider the parts of which a constitution is composed

Opinions differ more on this subject than with respect to the whole That a nation ought to have a constitution as a rule for the conduct of its government is a simple question to which all men not directly courtiers will agree It is only on the component parts that questions and opinions multiply

But this difficulty, like every other, will diminish when put into

[f] In England, the improvements in agriculture useful arts manufactures and commerce have been made in opposition to the genius of its government which is that of following precedents It is from the enterprise and industry of the individuals and their numerous associations in which tritely speaking government is neither pillow nor bolster that these improvements have proceeded. No man thought about the government or who was *in* or who was *out* when he was planning or executing those things and all he had to hope with respect to government was that it would let him alone Three or four very silly ministerial newspapers are continually offending against the spirit of national improvement by ascribing it to a minister They may with as much truth ascribe this book to a minister

Almost every case must now be determined by some precedent be that precedent good or bad or whether it properly applies or not and the practice has become so general as to suggest a suspicion that it proceeds from a deeper policy than at first sight appears

Since the revolution of America and more so since that of France this preaching up the doctrine of precedents drawn from times and circumstances antecedent to those events has been the studied practice of the English government The generality of those precedents are founded on principles and opinions the reverse of what they ought to be and the greater distance of time they are drawn from the more they are to be suspected

But by associating those precedents with a superstitious reverence for ancient things as monks show relics and call them holy the generality of mankind are deceived into the design Governments now act as if they were afraid to awaken a single reflection in man They are softly leading him to the sepulcher of precedents to deaden his faculties and call his attention from the scene of revolutions

They feel that he is arriving at knowledge faster than they wish and their policy of precedents is the barometer of their fears This political popery like the ecclesiastical popery of old has had its day and is hastening to its exit The ragged relic and the antiquated precedent the monk and the monarch will molder together

Government by precedent without any regard to the principle of the precedent is one of the vilest systems that can be set up In numerous instances the precedent ought to operate as a warning and not as an example and requires to be shunned instead of imitated but instead of this precedents are taken in the lump and put at once for constitution and for law

Either the doctrine of precedents is policy to keep a man in a state of ignorance or it is a practical confession that wisdom degenerates in governments as governments increase in age and can only hobble along by the stilts and crutches of precedents

How is it that the same persons who would proudly be thought wiser than their predecessors appear at the same time only as the

ghosts of departed wisdom? How strangely is antiquity treated! To answer some purposes, it is spoken of as the times of darkness and ignorance, and to answer others, it is put for the light of the world

If the doctrine of precedents is to be followed, the expenses of government need not continue the same Why pay men extravagantly who have but little to do? If everything that can happen is already in precedent, legislation is at an end, and precedent, like a dictionary, determines every case Either, therefore, government has arrived at its dotage and requires to be renovated, or all the occasions for exercising its wisdom have occurred

We now see all over Europe, and particularly in England, the curious phenomenon of a nation looking one way and the government the other—the one forward and the other backward If governments are to go on by precedent while nations go on by improvement, they must at last come to a final separation, and the sooner and the more civilly they determine this point, the better it will be for them [1]

Having thus spoken of constitutions generally as things distinct from actual governments let us proceed to consider the parts of which a constitution is composed

Opinions differ more on this subject than with respect to the whole That a nation ought to have a constitution, as a rule for the conduct of its government is a simple question to which all men not directly courtiers will agree It is only on the component parts that questions and opinions multiply

But this difficulty like every other, will diminish when put into

[1] In England, the improvements in agriculture useful arts, manufactures and commerce have been made in opposition to the genius of its government which is that of following precedents It is from the enterprise and industry of the individuals and their numerous associations in which tritely speaking government is neither pillow nor bolster that these improvements have proceeded. No man thought about the government, or who was *in* or who was *out*, when he was planning or execu-
respect to government wa
ministerial newspapers ar-
improvement by ascribin
ascribe this book to a m... e

Almost every case must now be determined by some precedent, be that precedent good or bad, or whether it properly applies or not; and the practice has become so general as to suggest a suspicion that it proceeds from a deeper policy than at first sight appears.

Since the revolution of America, and more so since that of France, this preaching up the doctrine of precedents, drawn from *times and circumstances antecedent to those events, has been the* studied practice of the English government. The generality of those precedents are founded on principles and opinions, the reverse of what they ought to be; and the greater distance of time they are drawn from, the more they are to be suspected.

But by associating those precedents with a superstitious reverence for ancient things, as monks show relics and call them holy, the generality of mankind are deceived into the design. Governments now act as if they were afraid to awaken a single reflection *in man. They are softly leading him to the sepulcher of precedents,* to deaden his faculties and call his attention from the scene of revolutions.

They feel that he is arriving at knowledge faster than they wish, and their policy of precedents is the barometer of their fears. This political popery, like the ecclesiastical popery of old, has had its day and is hastening to its exit. The ragged relic and the antiquated precedent, *the monk and the monarch, will molder together.*

Government by precedent, without any regard to the principle of the precedent, is one of the vilest systems that can be set up. In numerous instances the precedent ought to operate as a warning and not as an example, and requires to be shunned instead of imitated; but instead of this, precedents are taken in the lump and *put at once for constitution and for law.*

Either the doctrine of precedents is policy to keep a man in a state of ignorance, or it is a practical confession that wisdom degenerates in governments as governments increase in age and can only hobble along by the stilts and crutches of precedents.

How is it that the same persons who would proudly be thought wiser than their predecessors appear at the same time only as the

any other clear idea with respect to the official execution of the laws In England, and also in America and France, this power begins with the magistrate and proceeds up through all the courts of judicature

I leave to courtiers to explain what is meant by calling monarchy the executive power It is merely a name in which acts of government are done, and any other, or none at all, would answer the same purpose

Laws have neither more nor less authority on this account It must be from the justness of their principles and the interest which a nation feels therein that they derive support, if they require any other than this it is a sign that something in the system of government is imperfect Laws difficult to be executed cannot be generally good

With respect to the organization of the *legislative power*, different modes have been adopted in different countries In America, it is generally composed of two houses In France, it consists of but one but in both countries it is wholly by representation

The case is that mankind (from the long tyranny of assumed power) have had so few opportunities of making the necessary trials on modes and principles of government, in order to discover the best, *that government is but now beginning to be known*, and experience is yet wanting to determine many particulars

The objections against two houses are *first*, that there is an inconsistency in any part of a whole legislature coming to a final determination by vote on any matter, whilst *that matter*, with respect to *that whole* is yet only in a train of deliberation, and consequently open to new illustrations

Secondly, that by taking the vote on each as a separate body, it always admits of the possibility and is often the case in practice that the minority governs the majority, and that, *in some* instances, to a great degree of inconsistency

Thirdly, that two houses arbitrarily checking or controlling each other is inconsistent because it cannot be proved, on the principles of just representation that either should be wiser or better than the other They may check in the wrong as well as in

a train of being rightly understood The first thing is that a nation has a right to establish a constitution

Whether it exercises this right in the most judicious manner at first it is quite another case It exercises it agreeably to the judgment it possesses, and by continuing to do so, all errors will at last be exploded

When this right is established in a nation there is no fear that it will be employed to its own injury A nation can have no interest in being wrong

Though all the constitutions of America are on one general principle yet no two of them are exactly alike in their component parts or in the distribution of the powers which they give to the actual governments Some are more and others less complex

In forming a constitution it is first necessary to consider what are the ends for which government is necessary secondly what are the best means and the least expensive for accomplishing those ends

Government is nothing more than a national association and the object of this association is the good of all as well individually as collectively Every man wishes to pursue his occupation and enjoy the fruits of his labors and the produce of his property in peace and safety and with the least possible expense When these things are accomplished all the objects for which government ought to be established are answered

It has been customary to consider government under three distinct general heads the legislative the executive and the judicial

But if we permit our judgment to act unencumbered by the habit of multiplied terms we can perceive no more than two divisions of power of which civil government is composed namely, that of legislating or enacting laws and that of executing or administering them Everything therefore appertaining to civil government classes itself under one or other of these two divisions

So far as regards the execution of the laws that which is called the judicial power is strictly and properly the executive power of every country It is that power to which every individual has an appeal and which causes the laws to be executed neither have we

to avoid the inconsistencies, in some cases absurdities, arising from the two houses the following method has been proposed as an improvement on both

First, to have but one representation

Secondly, to divide that representation by lot into two or three parts

Thirdly, that every proposed bill shall first be debated in those parts, by succession, that they may become hearers of each other, but without taking any vote After which the whole representation to assemble for a general debate and determination by vote

To this proposed improvement has been added another for the purpose of keeping the representation in a state of constant renovation, which is that one third of the representation of each county shall go out at the expiration of one year, and the number be replaced by new elections Another third at the expiration of the second year, replaced in like manner, and every third year to be a general election [h]

But in whatever manner the separate parts of a constitution may be arranged, there is one general principle that distinguishes freedom from slavery, which is that all ***hereditary government over a people is to them a species of slavery, and representative government is freedom***

•

The presidency in America (or, as it is sometimes called, the executive) is the only office from which a foreigner is excluded, and in England it is the only one to which he is admitted A foreigner cannot be a member of Parliament, but he may be what is called a 'king' If there is any reason for excluding foreigners, it ought to be from those offices where most mischief can be acted and where, by uniting every bias of interest and attachment, the trust is best secured

[h] As to the state of [illegible]

the right, and therefore to give the power where we cannot give the wisdom to use it, nor be assured of its being rightly used, renders the hazard at least equal to the precaution [8]

The objection against a single house is that it is always in a condition of committing itself too soon But it should at the same time be remembered that when there is a constitution which de fines the power and establishes the principles within which a legis lature shall act, there is already a more effectual check provided and more powerfully operating than any other check can be For example

Were a bill brought into any of the American legislatures sim ilar to that which was passed into an act of the English Parliament, at the commencement of the reign of George I, to extend the duration of the assemblies to a longer period than they now sit the check is in the constitution, which in effect says, *thus far shalt thou go and no further*

But in order to remove the objection against a single house (that of acting with too quick an impulse) and at the same time

[8] With respect to the two houses of which the English Parliament is com posed they appear to be effectually influenced into one and as a legislature to have no temper of its own The minister whoever he at any time may be touches it as with an opium wand and it sleeps obedience

But if we look at the distinct abilities of the two houses the difference will appear so great as to show the inconsistency of placing power where there can be no certainty of the judgment to use it Wretched as the state of representa tion is in England it is manhood compared with what is called the House of Lords and so little is this nicknamed house regarded that the people scarcely inquire at any time what it is doing It appears also to be most under influence and the furthest removed from the general interest of the nation In the debate on engaging in the Russian and Turkish War the majority in the House of Peers in favor of it was upward of ninety when in the other house which was more than double its numbers the majority was sixty three

The proceedings on Mr Fox s bill [9] respecting the rights of juries merits also to be noticed The persons called the peers were not the objects of that bill They are already in possession of more privileges than that bill gave to others. They are their own jury and if anyone of that house were prosecuted for a libel he would not suffer even upon conviction for the first offense Such inequality in laws ought not to exist in any country The French Constitution says that *the law is the same to every individual whether to protect or to punish All are equal in its sight*

condition of being corrupted Less than a fourth part of such expense, applied as it is in America, would remedy a great part of the corruption

Another reform in the American Constitution is the exploding all oaths of personality The oath of allegiance is to the nation only The putting any individual as a figure for a nation is improper The happiness of a nation is the first object, and therefore the intention of an oath of allegiance ought not to be obscured by being figuratively taken to or in the name of any person The oath called the civic oath, in France, viz, the "nation, the law, and the king," is improper If taken at all, it ought to be as in America, to the nation only

The law may or may not be good, but, in this place, it can have no other meaning than as being conducive to the happiness of the nation, and therefore is included in it The remainder of the oath is improper, on the ground that all person oaths ought to be abolished They are the remains of tyranny on one part and slavery on the other, and the name of the Creator ought not to be introduced to witness the degradation of his creation, or if taken, as is already mentioned, as figurative of the nation, it is in this place redundant

But whatever apology may be made for oaths at the first establishment of a government, they ought not to be *permitted* afterward If a government requires the support of oaths, it is a sign that *it* is not worth supporting and ought not to be supported Make government what it ought to be, and it will support itself

To conclude this part of the subject One of the greatest improvements that has been made for the perpetual security and progress of constitutional liberty is the provision which the new constitutions make for occasionally revising, altering and amending them

The principle upon which Mr Burke formed his political creed, that "of binding and [illegible] of time, and renouncir[illegible] forever," is now bec[illegible] for debate, and, therefore, I pass it over with no other notice than exposing it.

Government is but now beginning to be known Hitherto it has

But as nations proceed in the great business of forming constitutions, they will examine with more precision into the nature and business of that department which is called the "executive' What the legislative and judicial departments are everyone can see, but with respect to what, in Europe, is called the "executive," as distinct from those two, it is either a political superfluity or a chaos of unknown things Some kind of official department, to which reports shall be made from different parts of the nation or from abroad, to be laid before the national representatives, is all that is necessary, but there is no consistency in calling this the executive, neither can it be considered in any other light than as inferior to the legislature The sovereign authority in any country is the power of making laws, and everything else is an official department

Next to the arrangement of the principles and the organization of the several parts of a constitution is the provision to be made for the support of the persons to whom the nation shall confide the administration of the constitutional powers

A nation can have no right to the time and services of any person at his own expense whom it may choose to employ or entrust in any department whatever, neither can any reason be given for making provision for the support of any one part of the government and not for the other

But, admitting that the honor of being entrusted with any part of a government is to be considered a sufficient reward, it ought to be so to every person alike If the members of the legislature of any country are to serve at their own expense that which is called the executive, whether monarchial or by any other name, ought to serve in like manner It is inconsistent to pay the one and accept the service of the other gratis

In America every department in the government is decently provided for, but no one is extravagantly paid Every member of Congress and of the state assemblies is allowed a sufficiency for his expenses Whereas in England a most prodigal provision is made for the support of one part of the government and none for the other, the consequence of which is that the one is furnished with the means of corruption and the other is put into the

would ever have been a popular toast in England or that a friendly alliance of the two nations should become the wish of either? It shows that man, were he not corrupted by governments, is naturally the friend of man and that human nature is not of itself vicious The spirit of jealousy and ferocity which the governments of the two countries inspired, and which they rendered subservient to the purpose of taxation, is now yielding to the dictates of reason interest, and humanity

The trade of courts is beginning to be understood, and the affectation of mystery, with all the artificial sorcery by which they imposed upon mankind, is on the decline It has received its death wound, and though it may linger, it will expire

Government ought to be as much open to improvement as anything which appertains to man, instead of which it has been monopolized from age to age by the most ignorant and vicious of the human race Need we any other proof of their wretched management than the excess of debt and taxes with which every nation groans and the quarrels into which they have precipitated the world?

Just emerging from such a barbarous condition, it is too soon to determine to what extent of improvement government may yet be carried For what we can foresee, all Europe may form but one great republic, and man be free of the whole

been the mere exercise of power, which forbade all effectual inquiry into rights and grounded itself wholly on possession While the enemy of liberty was its judge, the progress of its principles must have been small indeed

The constitutions of America, and also that of France, have either fixed a period for their revision or laid down the mode by which improvements shall be made

It is perhaps impossible to establish anything that combines principles with opinions and practice which the progress of circumstances, through a length of years, will not in some measure derange or render inconsistent, and therefore, to prevent inconveniences accumulating till they discourage reformations or provoke revolutions, it is best to regulate them as they occur

The rights of man are the rights of all generations of men and cannot be monopolized by any That which is worth following will be followed for the sake of its worth, and it is in this that its security lies, and not in any conditions with which it may be encumbered When a man leaves property to his heirs, he does not connect it with an obligation that they shall accept it Why, then, should we do otherwise with respect to constitutions?

The best constitution that could now be devised, consistent with the condition of the present moment, may be far short of that excellence which a few years may afford There is a morning of reason rising upon man, on the subject of government, that has not appeared before As the barbarism of the present old governments expires, the moral condition of the nations with respect to each other will be changed

Man will not be brought up with the savage idea of considering his species as enemies because the accident of birth gave the individuals existence in countries distinguished by different names, and as constitutions have always some relation to external as well as domestic circumstances, the means of benefiting by every change, foreign or domestic, should be a part of every constitution

We already see an alteration in the national disposition of England and France toward each other, which, when we look back only a few years, is itself a revolution Who could have foreseen, or who would have believed, that a French National Assembly

would ever have been a popular toast in England or that a friendly alliance of the two nations should become the wish of either?

It shows that man, were he not corrupted by governments, is naturally the friend of man and that human nature is not of itself vicious The spirit of jealousy and ferocity which the governments of the two countries inspired, and which they rendered subservient to the purpose of taxation is now yielding to the dictates of rea son interest, and humanity

The trade of courts is beginning to be understood, and the affectation of mystery, with all the artificial sorcery by which they imposed upon mankind, is on the decline It has received its death wound and though it may linger, it will expire

Government ought to be as much open to improvement as any-thing which appertains to man, instead of which it has been monop olized from age to age by the most ignorant and vicious of the human race Need we any other proof of their wretched manage ment than the excess of debt and taxes with which every nation groans and the quarrels into which they have precipitated the world?

Just emerging from such a barbarous condition it is too soon to determine to what extent of improvement government may yet be carried For what we can foresee all Europe may form but one great republic, and man be free of the whole

DISSERTATION ON FIRST PRINCIPLES OF GOVERNMENT

DISSERTATION ON FIRST PRINCIPLES OF GOVERNMENT

THERE IS NO SUBJECT more interesting to every man than the subject of government His security, be he rich or [illegible]

himself acquainted with its principles and what the [illegible] to be

Every art and science, however imperfectly known at first, has been studied, improved, and brought to what we call perfection by the progressive labors of succeeding generations, but the science of government has stood still No improvement has been made in the principle and scarcely any in the practice till the American Revolution began In all the countries of Europe (except in France) the same forms and systems that were erected in the remote ages of ignorance still continue, and their antiquity is put in the place of principle it is forbidden to investigate their origin or by what right they exist If it be asked how has this happened the answer is easy they are established on a principle that is false, and they employ their power to prevent detection

Notwithstanding the mystery with which the science of government has been enveloped, for the purpose of enslaving, plundering, and imposing upon mankind, it is of all things the least mysterious and the most easy to be understood The meanest capacity cannot be at a loss if it begins its inquiries at the right point Every art and science has some point or alphabet at which the *study of that* art or science begins and by the assistance of which the progress is facilitated The same method ought to be observed with respect to the science of government

Instead, then, of embarrassing the subject in the outset with the numerous subdivisions under which different forms of government have been classed, such as aristocracy, democracy, oligarchy, monarchy, etc , the better method will be to begin with what

The character therefore of the revolutions of the present day distinguishes itself most definitely by grounding itself on the system of representative government, in opposition to the hereditary No other distinction reaches the whole of the principle

Having thus opened the case generally, I proceed, in the first place, to examine the hereditary system because it has the priority in point of time The representative system is the invention of the modern world, and that no doubt may arise as to my own opinion, I declare it beforehand, which is *that there is not a problem in Euclid more mathematically true than that hereditary government has not a right to exist When therefore we take from any man the exercise of hereditary power, we take away that which he never had the right to possess and which no law or custom could or ever can give him a title to*

The arguments that have hitherto been employed against the hereditary system have been chiefly founded upon the absurdity of it and its incompetence to the purpose of good government Nothing can present to our judgment or to our imagination a figure of greater absurdity than that of seeing the government of a nation fall, as it frequently does, into the hands of a lad necessarily destitute of experience and often little better than a fool It is an insult to every man of years of character, and of talents in a country

The moment we begin to reason upon the hereditary system, it falls into derision, let but a single idea begin, and a thousand will soon follow Insignificance imbecility, childhood, dotage, want of moral character—in fine, every defect, serious or laughable—unite to hold up the hereditary system as a figure of ridicule Leaving however, the ridiculousness of the thing to the reflections of the reader I proceed to the more important part of the question, namely, whether such a system has a right to exist

To be satisfied of the right of a thing to exist, we must be satisfied that it had a right to begin If it had not a right to begin, it has not the right to continue By what right, then, did the hereditary system begin? Let a man but ask himself this question, and he will find that he cannot satisfy himself with an answer

The right which any man or any family had to set itself up at

may be called primary divisions, or those under which all the several subdivisions will be comprehended

The primary divisions are but two

First, government by election and representation

Secondly, government by hereditary succession

All the several forms and systems of government, however numerous or diversified, class themselves under one or other of those primary divisions, for either they are on the system of representation or on that of hereditary succession As to that equivocal thing called "mixed government," [1] such as the late government of Holland and the present government of England, it does not make an exception to the general rule because the parts separately considered are either representative or hereditary

Beginning then our inquiries at this point, we have first to examine into the nature of those two primary divisions If they are equally right in principle, it is mere matter of opinion which we prefer If the one be demonstratively better than the other, that difference directs our choice, but if one of them should be so absolutely false as not to have a right of existence, the matter settles itself at once, because a negative proved on one thing, where two only are offered and one must be accepted, amounts to an affirmative on the other

The revolutions that are now spreading themselves in the world have their origin in this state of the case, and the present war [2] is a conflict between the representative system founded on the rights of the people and the hereditary system founded in usurpation As to what are called monarchy, royalty and aristocracy, they do not, either as things or as terms sufficiently describe the hereditary system, they are but secondary things or signs of the hereditary system and which fall of themselves if that system has not a right to exist

Were there no such terms as "monarchy," "royalty," and 'aristocracy," or were other terms substituted in their place, the hereditary system, if it continued, would not be altered thereby It would be the same system under any other titulary name as it is now

The character therefore of the revolutions of the present day distinguishes itself most definitely by grounding itself on the sys tem of representative government, in opposition to the hereditary No other distinction reaches the whole of the principle

Having thus opened the case generally I proceed in the first place to examine the hereditary system because it has the priority in point of time The representative system is the invention of the modern world and that no doubt may arise as to my own opinion I declare it beforehand, which is *that there is not a prob lem in Euclid more mathematically true than that hereditary gov ernment has not a right to exist When therefore we take from any man the exercise of hereditary power we take away that which he never had the right to possess and which no law or cus tom could or ever can give him a title to*

The arguments that have hitherto been employed against the hereditary system have been chiefly founded upon the absurdity of it and its incompetence to the purpose of good government Nothing can present to our judgment or to our imagination a figure of greater absurdity than that of seeing the government of a nation fall as it frequently does into the hands of a lad necessarily destitute of experience and often little better than a fool It is an insult to every man of years of character and of talents in a country

The moment we begin to reason upon the hereditary system, it falls into derision let but a single idea begin and a thousand will soon follow Insignificance imbecility childhood dotage want of moral character—in fine every defect serious or laughable—unite to hold up the hereditary system as a figure of ridicule Leaving however the ridiculousness of the thing to the reflections of the reader I proceed to the more important part of the question namely whether such a system has a right to exist

To be satisfied of the right of a thing to exist we must be satisfied that it had a right to begin If it had not a right to begin it has not the right to continue By what right then did the hereditary system begin? Let a man but ask himself this question and he will find that he cannot satisfy himself with an answer

The right which any man or any family had to set itself up at

may be called primary divisions, or those under which all the several subdivisions will be comprehended

The primary divisions are but two

First, government by election and representation

Secondly, government by hereditary succession

All the several forms and systems of government, however numerous or diversified, class themselves under one or other of those primary divisions, for either they are on the system of representation or on that of hereditary succession As to that equivocal thing called "mixed government,"[1] such as the late government of Holland and the present government of England, it does not make an exception to the general rule because the parts separately con sidered are either representative or hereditary

Beginning then our inquiries at this point, we have first to examine into the nature of those two primary divisions If they are equally right in principle, it is mere matter of opinion which we prefer If the one be demonstratively better than the other, that difference directs our choice, but if one of them should be so absolutely false as not to have a right of existence, the matter settles itself at once, because a negative proved on one thing, where two only are offered and one must be accepted, amounts to an affirmative on the other

The revolutions that are now spreading themselves in the world have their origin in this state of the case, and the present war[2] is a conflict between the representative system founded on the rights of the people and the hereditary system founded in usurpation As to what are called monarchy, royalty, and aristocracy, they do not, either as things or as terms, sufficiently describe the hereditary system, they are but secondary things or signs of the hereditary system and which fall of themselves if that system has not a right to exist

Were there no such terms as monarchy,' "royalty," and 'aristocracy," or were other terms substituted in their place, the hereditary system, if it continued, would not be altered thereby It would be the same system under any other titulary name as it is now

The character therefore of the revolutions of the present day distinguishes itself most definitely by grounding itself on the system of representative government, in opposition to the hereditary No other distinction reaches the whole of the principle

Having thus opened the case generally, I proceed, in the first place, to examine the hereditary system because it has the priority in point of time The representative system is the invention of the modern world, and that no doubt may arise as to my own opinion, I declare it beforehand, which is *that there is not a problem in Euclid more mathematically true than that hereditary government has not a right to exist When therefore we take from any man the exercise of hereditary power, we take away that which he never had the right to possess and which no law or custom could or ever can give him a title to*

The arguments that have hitherto been employed against the hereditary system have been chiefly founded upon the absurdity of it and its incompetence to the purpose of good government Nothing can present to our judgment or to our imagination a figure of greater absurdity than that of seeing the government of a nation fall, as it frequently does into the hands of a lad necessarily destitute of experience and often little better than a fool It is an insult to every man of years, of character, and of talents in a country

The moment we begin to reason upon the hereditary system it falls into derision, let but a single idea begin, and a thousand will soon follow Insignificance imbecility, childhood, dotage, want of moral character—in fine, every defect, serious or laughable—unite to hold up the hereditary system as a figure of ridicule Leaving, however, the ridiculousness of the thing to the reflections of the reader, I proceed to the more important part of the question, namely, whether such a system has a right to exist

To be satisfied of the right of a thing to exist, we must be satisfied that it had a right to begin If it had not a right to begin, it has not the right to continue By what right, then, did the hereditary system begin? Let a man but ask himself this question, and he will find that he cannot satisfy himself with an answer

The right which any man or any family had to set itself up at

may be called primary divisions, or those under which all the several subdivisions will be comprehended

The primary divisions are but two

First, government by election and representation
Secondly, government by hereditary succession

All the several forms and systems of government, however numerous or diversified, class themselves under one or other of those primary divisions, for either they are on the system of representation or on that of hereditary succession As to that equivocal thing called "mixed government,"[1] such as the late government of Holland and the present government of England, it does not make an exception to the general rule because the parts separately considered are either representative or hereditary

Beginning then our inquiries at this point, we have first to examine into the nature of those two primary divisions If they are equally right in principle, it is mere matter of opinion which we prefer If the one be demonstratively better than the other, that difference directs our choice, but if one of them should be so absolutely false as not to have a right of existence, the matter settles itself at once, because a negative proved on one thing where two only are offered and one must be accepted, amounts to an affirmative on the other

The revolutions that are now spreading themselves in the world have their origin in this state of the case, and the present war[2] is a conflict between the representative system founded on the rights of the people and the hereditary system founded in usurpation As to what are called monarchy royalty, and aristocracy, they do not, either as things or as terms, sufficiently describe the hereditary system, they are but secondary things or signs of the hereditary system and which fall of themselves if that system has not a right to exist

Were there no such terms as monarchy, 'royalty," and 'aristocracy," or were other terms substituted in their place, the hereditary system, if it continued, would not be altered thereby It would be the same system under any other titulary name as it is now

A nation, in a collective sense, comprehends all the individuals of whatever age, from just born to just dying Of these, one part will be minors and the other aged The average of life is not exactly the same in every climate and country, but in general the minority in years are the majority in numbers, that is, the number of persons under twenty-one years is greater than the number of persons above that age

This difference in number is not necessary to the establishment of the principle I mean to lay down, but it serves to show the justice of it more strongly The principle would be equally as good if the majority in years were also the majority in numbers

The rights of minors are as sacred as the rights of the aged The difference is altogether in the different age of the two parties, and nothing in the nature of the rights, the rights are the same rights and are to be preserved inviolate for the inheritance of the minors when they shall come of age During the minority of minors, their rights are under the sacred guardianship of the aged

The minor cannot surrender them, the guardian cannot dispossess him, consequently the aged part of a nation, who are the lawmakers for the *time being* and who, in the march of life, are but a few years ahead of those who are yet minors and to whom they must shortly give place have not and cannot have the right to make a law to set up and establish hereditary government, or, to speak more distinctly, *a hereditary succession of governors*, because it is an attempt to deprive every minor in the nation, at the time such a law is made, of his inheritance of rights when he shall come of age and to subjugate him to a system of government to which, during his minority, he could neither consent nor object

If a person who is a minor at the time such a law is proposed had happened to have been born a few years sooner, so as to be of the age of twenty-one years at the time of proposing it, his right to have objected against it, to have exposed the injustice and tyrannical principles of it and to have voted against it, will be admitted on all sides

If therefore, the law operates to prevent his exercising the same rights after he comes of age as he would have had a right to exercise had he been of age at the time it is undeniably a law to

first to govern a nation and to establish itself hereditarily was no other than the right which Robespierre [3] had to do the same thing in France If he had none, they had none If they had any, he had as much, for it is impossible to discover superiority of right in any family, by virtue of which hereditary government could begin The Capets, the Guelphs, the Robespierres, the Marats,[4] are all on the same standing as to the question of right It belongs exclusively to none

It is one step toward liberty to perceive that hereditary government *could not begin as an exclusive right in any family* The next point will be whether, having once begun, it could grow into a right by the influence of time

This would be supposing an absurdity, for either it is putting time in the place of principle or making it superior to principle, whereas time has no more connection with or influence upon principle than principle has upon time The wrong which began a thousand years ago is as much a wrong as if it began today, and the right which originates today is as much a right as if it had the sanction of a thousand years

Time with respect to principles is an eternal *now*, it has no operation upon them, it changes nothing of their nature and qualities But what have we to do with a thousand years? Our lifetime is but a short portion of that period, and if we find the wrong in existence as soon as we begin to live, that is the point of time at which it begins to us, and our right to resist it is the same as if it never existed before

As hereditary government could not begin as a natural right in any family, nor derive after its commencement any right from time, we have only to examine whether there exist in a nation a right to set it up and establish it by what is called law, as has been done in England I answer 'No, and that any law or any constitution made for that purpose is an act of treason against the right of every minor in the nation at the time it is made and against the rights of all succeeding generations

I shall speak upon each of those cases First, of the minor at the time such law is made Secondly, of the generations that are to follow

For example if France at this or any other moment contains twenty four millions of souls, twelve millions will be males and twelve females Of the twelve millions of males, six millions will be of the age of twenty-one years and six will be under, and the authority to govern will reside in the first six.

But every day will make some alteration, and in twenty-one years every one of those minors who survives will have arrived at age and the greater part of the former stock will be gone, the majority of persons then living in whom the legal authority resides will be composed of those who, twenty-one years before, had no legal existence Those will be fathers and grandfathers in their turn and in the next twenty-one years (or less), another race of minors arrived at age will succeed them and so on

As this is ever the case, and as every generation is equal in rights to another, it consequently follows that there cannot be a right in any to establish government by hereditary succession, because it would be supposing itself possessed of a right superior to the rest, namely, that of commanding by its own authority how the world shall be hereafter governed and who shall govern it

Every age and generation is and must be (as a matter of right) as free to act for itself in all cases as the age and generation that preceded it. The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies Man has no property in man neither has one generation a property in the generations that are to follow

In the first part of the *Rights of Man* I have spoken of government by hereditary succession and I will here close the subject with an extract from that work which states it under the two following heads*

The history of the English Parliament furnishes an example of this kind and which merits to be recorded as being the greatest instance of legislative ignorance and want of principle that is to be found in any country The case is as follows

* [The quotation from *Rights of Man* omitted from this text of the "Dissertation" appears on pages 102 104 of the present work. The passage begins "*First* the right of a particular family and closes (with some necessary differences in phrasing) "good Lord deliver the world."]

take away and annul the rights of every person in the nation who shall be a minor at the time of making such a law, and con sequently the right to make it cannot exist

I come now to speak of government by hereditary succession, as it applies to succeeding generations, and to show that in this case, as in the case of minors, there does not exist in a nation a *right to set it up*

A nation, though continually existing, is continually in a state of renewal and succession It is never stationary Every day pro duces new births, carries minors forward to maturity and old persons from the stage In this ever running flood of generations there is no part superior in authority to another Could we con ceive an idea of superiority in any, at what point of time, or in what century of the world, are we to fix it? To what cause are we to ascribe it? By what evidence are we to prove it? By what criterion are we to know it?

A single reflection will teach us that our ancestors, like our-selves, *were but tenants for life in the great freehold of rights* The fee absolute was not in them, it is not in us it belongs to the whole family of man through all ages If we think otherwise than this, we think either as slaves or as tyrants As slaves, if we think that any former generation had a right to bind us, as tyrants, if we think that we have authority to bind the generations that are to follow

It may not be inapplicable to the subject to endeavor to define what is to be understood by a "generation" in the sense the word is here used

As a natural term, its meaning is sufficiently clear The father, *the son, the grandson are so many distinct generations* But when we speak of a generation as describing the persons in whom legal authority resides, as distinct from another generation of the same *description who are to succeed them it comprehends all those who are above the age of twenty one years at the time that we count* from, and a generation of this kind will continue in authority between *fourteen and twenty-one years, that is until the number* of minors, who shall have arrived at age, shall be greater than the number of persons remaining of the former stock

For example, if France at this or any other moment contains twenty four millions of souls, twelve millions will be males and twelve females Of the twelve millions of males, six millions will be of the age of twenty-one years and six will be under, and the authority to govern will reside in the first six

But every day will make some alteration, and in twenty-one years every one of those minors who survives will have arrived at age and the greater part of the former stock will be gone, the majority of persons then living in whom the legal authority resides will be composed of those who, twenty-one years before, had no legal existence Those will be fathers and grandfathers in their turn and, in the next twenty-one years (or less), another race of minors arrived at age will succeed them, and so on

As this is ever the case, and as every generation is equal in rights to another, it consequently follows that there cannot be a right in any to establish government by hereditary succession, because it would be supposing itself possessed of a right superior to the rest, namely, that of commanding by its own authority how the world shall be hereafter governed and who shall govern it

Every age and generation is and must be (as a matter of right) as free to act for itself in all cases as the age and generation that preceded it The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies Man has no property in man neither has one generation a property in the generations that are to follow

In the first part of the *Rights of Man* I have spoken of government by hereditary succession and I will here close the subject with an extract from that work which states it under the two following heads [a]

The history of the English Parliament furnishes an example of this kind, and which merits to be recorded as being the greatest instance of legislative ignorance and want of principle that is to be found in any country The case is as follows

[a] [The quotation from *Rights of Man* omitted from this text of the "Dissertation" appears on pages 101 104 of the present work. The passage begins "First the right of a particular family " and closes (with some necessary differences in phrasing) "good Lord deliver the world."]

The English Parliament of 1688 imported a man and his wife from Holland, *William* and *Mary,* and made them King and Queen of England Having done this, the said Parliament made a law to convey the government of the country to the heirs of William and Mary, in the following words "We, the Lords Spir itual and Temporal, and Commons, do, in the name of the people of England, most humbly and faithfully submit *ourselves, our heirs and posterities,* to William and Mary, *their heirs and posterities,* forever" And in a subsequent law, as quoted by Edmund Burke, the said Parliament, in the name of the people of England then living, *binds the said people, their heirs and posterities, to William and Mary, their heirs and posterities, to the end of time*

It is not sufficient that we laugh at the ignorance of such law makers, it is necessary that we reprobate their want of principle The Constituent Assembly of France, 1789, fell into the same vice as the Parliament of England had done, and assumed to establish a hereditary succession in the family of the Capets as an act of the constitution of that year

That every nation, *for the time being,* has a right to govern itself as it pleases must always be admitted but government by hereditary succession is government for another race of people, and not for itself, and as those on whom it is to operate are not yet in existence, or are minors, so neither is the right in existence to set it up for them, and to assume such a right is treason against the right of posterity

I here close the arguments on the first head, that of government by hereditary succession, and proceed to the second, that of government by election and representation, or as it may be concisely expressed *representative government,* in contradistinction to *hereditary government*

Reasoning by exclusion, if *hereditary government* has not a right to exist, and that it has not is provable, *representative government* is admitted of course

In contemplating government by election and representation we amuse not ourselves in inquiring when or how, or by what right, it began Its origin is ever in view Man is himself the origin

and the evidence of the right It appertains to him in right of his existence, and his person is the title deed

The true and only true basis of representative government is equality of rights Every man has a right to one vote and no more in the choice of representatives The rich have no more right to exclude the poor from the right of voting or of electing and being elected than the poor have to exclude the rich and wherever it is attempted or proposed on either side it is a question of force and not of right Who is he that would exclude another? That other has a right to exclude him

That which is now called aristocracy implies an inequality of rights, but who are the persons that have a right to establish this inequality? Will the rich exclude themselves? No Will the poor exclude themselves? No By what right then can any be excluded? It would be a question if any man or class of men have a right to exclude themselves but be this as it may, they cannot have the right to exclude another The poor will not delegate such a right to the rich nor the rich to the poor, and to assume it is not only to assume arbitrary power but to assume a right to commit robbery

Personal rights of which the right of voting for representatives is one are a species of property of the most sacred kind, and he that would employ his pecuniary property or presume upon the influence it gives him to dispossess or rob another of his property or rights uses that pecuniary property as he would use firearms and merits to have it taken from him

Inequality of rights is created by a combination in one part of the community to exclude another part from its rights Whenever it be made an article of a constitution or a law that the right of voting or of electing and being elected shall appertain exclusively to persons possessing a certain quantity of property, be it little or much *it is a combination* of the persons possessing that quantity to exclude those who do not possess the same quantity It is investing *themselves* with powers as a self-created part of society, to the exclusion of the rest

It is always to be taken for granted that those who oppose an

equality of rights never mean the exclusion should take place on themselves, and in this view of the case, pardoning the vanity of the thing, aristocracy is a subject of laughter This self soothing vanity is encouraged by another idea not less selfish, which is that the opposers conceive they are playing a safe game, in which there *is a chance to gain and none to lose, that, at any rate, the doctrine* of equality includes them and that, if they cannot get more rights than those whom they oppose and would exclude, they shall not have less

This opinion has already been fatal to thousands who, not contented *with equal rights, have sought more till they lost all, and* experienced in themselves the degrading *inequality* they endeavored to fix upon others

In any view of the case, it is dangerous and impolitic, sometimes ridiculous and always unjust, to make property the criterion of *the right of voting If the sum or value of the property upon which* the right is to take place be considerable it will exclude a majority of the people and unite them in a common interest against the government and against those who support it, and as the power is always with the majority, they can overturn such a government *and its supporters whenever they please*

If, in order to avoid this danger, a small quantity of property be fixed as the criterion of the right, it exhibits liberty in disgrace by putting it in competition with accident and insignificance When a broodmare shall fortunately produce a foal or a mule that, by being worth the sum in question shall convey to its owner the right of voting or by its death take it from him in whom does the origin of such a right exist? Is it in the man or in the mule? When *we consider how many ways property may be acquired without* merit and lost without crime we ought to spurn the idea of making it a criterion of rights

But the offensive part of the case is that this exclusion from the right of voting implies a stigma *on the moral character of the persons excluded*, and this is what no part of the community has a right to pronounce upon another part No external circumstance can justify it, wealth is no proof of moral character, nor poverty of the want of it

On the contrary, wealth is often the presumptive evidence of dishonesty and poverty the negative evidence of innocence If therefore property, whether little or much, be made a criterion, the means by which that property has been acquired ought to be made a criterion also

The only ground upon which exclusion from the right of voting is consistent with justice would be to inflict it as a punishment for a certain time upon those who should propose to take away that right from others The right of voting for representatives is the primary right by which other rights are protected

To take away this right is to reduce a man to slavery, for slavery consists in being subject to the will of another, and he that has not a vote in the election of representatives is in this case The proposal, therefore, to disfranchise any class of men is as criminal as the proposal to take away property

When we speak of right we ought always to unite with it the idea of duties rights become duties by reciprocity The right which I enjoy becomes my duty to guarantee it to another, and he to me and those who violate the duty justly incur a forfeiture of the right

In a political view of the case, the strength and permanent security of government is in proportion to the number of people interested in supporting it The true policy, therefore is to interest the whole by an equality of rights for the danger arises from exclusions It is possible to exclude men from the right of voting, but it is impossible to exclude them from the right of rebelling against that exclusion, and when all other rights are taken away the right of rebellion is made perfect

While men could be persuaded they had no rights or that rights appertained only to a certain class of men or that government was a thing existing in right of itself it was not difficult to govern them authoritatively The ignorance in which they were held and the superstition in which they were instructed furnished the means of doing it

But when the ignorance is gone and the superstition with it, when they perceive the imposition that has been acted upon them, when they reflect that the cultivator and the manufacturer are the

equality of rights never mean the exclusion should take place on themselves, and in this view of the case, pardoning the vanity of the thing, aristocracy is a subject of laughter This self soothing vanity is encouraged by another idea not less selfish, which is that the opposers conceive they are playing a safe game, in which there is a chance to gain and none to lose, that, at any rate, the doctrine of equality includes them and that, if they cannot get more rights than those whom they oppose and would exclude, they shall not have less

This opinion has already been fatal to thousands who, not contented with *equal rights*, have sought more till they lost all, and experienced in themselves the degrading *inequality* they endeavored to fix upon others

In any view of the case, it is dangerous and impolitic, sometimes ridiculous and always unjust, to make property the criterion of the right of voting If the sum or value of the property upon which the right is to take place be considerable, it will exclude a majority of the people and unite them in a common interest against the government and against those who support it, and as the power is always with the majority, they can overturn such a government and its supporters whenever they please

If, in order to avoid this danger, a small quantity of property be fixed as the criterion of the right, it exhibits liberty in disgrace by putting it in competition with accident and insignificance When a broodmare shall fortunately produce a foal or a mule that, by being worth the sum in question shall convey to its owner the right of voting or by its death take it from him in whom does the origin of such a right exist? Is it in the man or in the mule? When we consider how many ways property may be acquired without merit and lost without crime, we ought to spurn the idea of making it a criterion of rights

But the offensive part of the case is that this exclusion from the right of voting implies a stigma on the moral character of the persons excluded, and this is what no part of the community has a right to pronounce upon another part No external circumstance can justify it, wealth is no proof of moral character, nor poverty of the want of it

On the contrary, wealth is often the presumptive evidence of dishonesty and poverty the negative evidence of innocence If therefore property, whether little or much, be made a criterion, the means by which that property has been acquired ought to be made a criterion also

The only ground upon which exclusion from the right of voting is consistent with justice would be to inflict it as a punishment for a certain time upon those who should propose to take away that right from others The right of voting for representatives is the primary right by which other rights are protected

To take away this right is to reduce a man to slavery, for slavery consists in being subject to the will of another, and he that has not a vote in the election of representatives is in this case The proposal therefore, to disfranchise any class of men is as criminal as the proposal to take away property

When we speak of right we ought always to unite with it the idea of duties rights become duties by reciprocity The right which I enjoy becomes my duty to guarantee it to another, and he to me and those who violate the duty justly incur a forfeiture of the right

In a political view of the case, the strength and permanent security of government is in proportion to the number of people interested in supporting it The true policy, therefore, is to interest the whole by an equality of rights for the danger arises from exclusions It is possible to exclude men from the right of voting but it is impossible to exclude them from the right of rebelling against that exclusion, and when all other rights are taken away, the right of rebellion is made perfect

While men could be persuaded they had no rights or that rights appertained only to a certain class of men or that government was a thing existing in right of itself it was not difficult to govern them authoritatively The ignorance in which they were held and the superstition in which they were instructed furnished the means of doing it

But when the ignorance is gone and the superstition with it, when they perceive the imposition that has been acted upon them when they reflect that the cultivator and the manufacturer are the

primary means of all the wealth that exists in the world beyond what nature spontaneously produces, when they begin to feel their consequences by their usefulness and their right as members of society, it is then no longer possible to govern them as before The fraud once detected cannot be reacted To attempt it is to provoke derision or invite destruction

That property will ever be unequal is certain Industry, superiority of talents, dexterity of management, extreme frugality, fortunate opportunities or the opposite, or the means of those things, will ever produce that effect, without having recourse to the harsh, ill-sounding names of avarice and oppression, and besides this there are some men who, though they do not despise wealth, will not stoop to the drudgery or the means of acquiring it nor will be troubled with it beyond their wants or their independence, while in others there is an avidity to obtain it by every means not punishable—it makes the sole business of their lives, and they follow it as a religion All that is required with respect to property is to *obtain it honestly and not employ it criminally, but it is always* criminally employed when it is made a criterion for exclusive rights

In institutions that are purely pecuniary, such as that of a bank *or a commercial company, the rights of the members composing* that company are wholly created by the property they invest therein, and no other rights are represented in the government of that company than what arise out of that property, neither has that government cognizance of *anything but property*

But the case is totally different with respect to the institution of civil government, organized on the system of representation Such a government has cognizance of *everything* and of *every man* as a member of the national society, whether he has property or not, and therefore the principle requires that *every man* and *every kind of right* be represented, of which the right to acquire and to hold property is *but one, and that not of the most essential kind*

The protection of a man's person is more sacred than the protection of property, and besides this the faculty of performing any kind of work or services by which he acquires a livelihood or maintaining his family is of the nature of property It is property

to him he has acquired it, and it is as much the object of his protection as exterior property, possessed without that faculty, can be the object of protection in another person

I have always believed that the best security for property, be it much or little, is to remove from every part of the community, as far as can possibly be done, every cause of complaint and every motive to violence, and this can only be done by an equality of rights When rights are secure property is secure in consequence But when property is made a pretense for unequal or exclusive rights it weakens the right to hold the property, and provokes indignation and tumult, for it is unnatural to believe that property can be secure under the guarantee of a society injured in its rights by the influence of that property

Next to the injustice and ill policy of making property a pretense for exclusive right is the unaccountable absurdity of giving to mere *sound* the idea of property and annexing to it certain rights for what else is a *title* but sound? Nature is often giving to the world some extraordinary men who arrive at fame by merit and universal consent, such as Aristotle Socrates, Plato, etc They were truly great or noble But when government sets up a manufactory of nobles it is as absurd as if she undertook to manufacture wise men Her nobles are all counterfeits

This wax work order has assumed the name of aristocracy and the disgrace of it would be lessened if it could be considered only as childish imbecility We pardon foppery because of its insignificance and on the same ground we might pardon the foppery of titles. But the origin of aristocracy was worse than foppery It was robbery The first aristocrats in all countries were brigands Those of later times sycophants

It is very well known that in England (and the same will be found in other countries) the great landed estates now held in descent were plundered from the quiet inhabitants at the Conquest The *possibility* did not exist of acquiring such estates honestly If it be asked how they could have been acquired, no answer but *that* of robbery can be given That they were not acquired by *trade*, by commerce, by manufactures, by agriculture, or by any *reputable* employment is certain

primary means of all the wealth that exists in the world beyond what nature spontaneously produces, when they begin to feel their consequences by their usefulness and their right as members of society, it is then no longer possible to govern them as before. The fraud once detected cannot be reacted. To attempt it is to provoke derision or invite destruction.

That property will ever be unequal is certain. Industry, superiority of talents, dexterity of management, extreme frugality, fortunate opportunities or the opposite, or the means of those things, will ever produce that effect, without having recourse to the harsh, ill sounding names of avarice and oppression, and besides this there are some men who, though they do not despise wealth, will not stoop to the drudgery or the means of acquiring it nor will be troubled with it beyond their wants or their independence, while in others there is an avidity to obtain it by every means not punishable—it makes the sole business of their lives, and they follow it as a religion. All that is required with respect to property is to obtain it honestly and not employ it criminally, but it is always criminally employed when it is made a criterion for exclusive rights.

In institutions that are purely pecuniary, such as that of a bank or a commercial company, the rights of the members composing that company are wholly created by the property they invest therein, and no other rights are represented in the government of that company than what arise out of that property; neither has that government cognizance of *anything but property*.

But the case is totally different with respect to the institution of civil government, organized on the system of representation. Such a government has cognizance of *everything* and of *every man* as a member of the national society, whether he has property or not, and therefore the principle requires that *every man* and *every kind of right* be represented, of which the right to acquire and to hold property is but one, and that not of the most essential kind.

The protection of a man's person is more sacred than the protection of property, and besides this the faculty of performing any kind of work or services by which he acquires a livelihood or maintaining his family is of the nature of property. *It is property*

followed by a detail of what the rights are, for every civil right has a natural right for its foundation and it includes the principle of a reciprocal guarantee of those rights from man to man. As, therefore it is impossible to discover any origin of rights otherwise than in the origin of man it consequently follows that rights appertain to man in right of his existence only and must therefore be equal to every man

The principle of an *equality of rights* is clear and simple Every man can understand it and it is by understanding his rights that he learns his duties for where the rights of men are equal, every man must finally see the necessity of protecting the rights of others as the most effectual security for his own

But if in the formation of a constitution we depart from the principle of equal rights or attempt any modification of it, we plunge into a labyrinth of difficulties from which there is no way out but by retreating Where are we to stop? Or by what principle are we to find out the point to stop at that shall discriminate between men of the same country part of whom shall be free and the rest not?

If property is to be made the criterion it is a total departure from every moral principle of liberty because it is attaching rights to mere matter and making man the agent of that matter It is moreover holding up property as an apple of discord and not only exciting but justifying war against it for I maintain the principle that when property is used as an instrument to take away the rights of those who may happen not to possess property it is used to an unlawful purpose as firearms would be in a similar case

In a state of nature all men are equal in rights but they are not equal in power the weak cannot protect themselves against the strong This being the case the institution of civil society is for the purpose of making an equalization of powers that shall be parallel to and a guarantee of the equality of rights The laws of a country when properly constructed apply to this purpose

Every man takes the arm of the law for his protection as more effectual than his own and therefore every man has an equal right in the formation of the government and of the laws by which he is to be governed and judged In extensive countries and societies

How then were they acquired? Blush, aristocracy, to hear your origin, for your progenitors were thieves They were the Robespierres and the Jacobins of that day When they had committed the robbery, they endeavored to lose the disgrace of it by sinking their real names under fictitious ones, which they called titles It is ever the practice of felons to act in this manner They never pass by their real names

As property, honestly obtained, is best secured by an equality of rights, so ill gotten property depends for protection on a monopoly of rights He who has robbed another of his property will next endeavor to disarm him of his rights to secure that property, for when the robber becomes the legislator, he believes *himself secure* That part of the government of England that is called the House of Lords was originally composed of persons who had committed the robberies of which I have been speaking It was an association for the protection of the property they had stolen

But besides the criminality of the origin of aristocracy, it has an injurious effect on the moral and physical character of man Like slavery, it debilitates the human faculties, for as the mind bowed down by slavery loses in silence its elastic powers, so, in the contrary extreme, when it is buoyed up by folly it becomes incapable of exerting them and dwindles into imbecility It is impossible that a mind employed upon ribands and titles can ever be great The childishness of the objects consumes the man

It is at all times necessary, and more particularly so during the progress of a revolution and until right ideas confirm themselves by habit, that we frequently refresh our patriotism by reference to first principles It is by tracing things to their origin that we learn to understand them, and it is by keeping that line and that origin always in view that we never forget them

An inquiry into the origin of rights will demonstrate to us that *rights* are not *gifts* from one man to another, nor from one class of men to another, *for who is he who could be the first giver, or by* what principle or on what authority could he possess the right of giving?

A declaration of rights is not a creation of them nor a donation of them It is a manifest of the principle by which they exist,

In all matters of opinion, the social compact, or the principle by which society is held together, requires that the majority of opinions becomes the rule for the whole and that the minority yields practical obedience thereto This is perfectly conformable to the principle of equal rights, for, in the first place, every man has *a right to give an opinion*, but no man has a right that his opinion should *govern the rest* In the second place, it is not supposed to be known beforehand on which side of any question, whether for or against, any man's opinion will fall He may happen to be in a majority upon some questions and in a minority upon others, *and by the same rule* that he expects obedience in the one case he must yield it in the other

All the disorders that have arisen in France during the progress of the Revolution have had their origin, not in the *principle of equal rights*, but in the violation of that principle The principle of equal rights has been repeatedly violated and that not by the majority but by the minority, and *that minority has been composed of men possessing property, as well as of men without property, property, therefore, even upon the experience already had, is no more a criterion of character than it is of rights*

It will sometimes happen that the minority are right and the majority are wrong but as soon as experience proves this to be the case the minority will increase to a majority, and the error will reform itself by the tranquil operation of freedom of opinion and equality of rights Nothing therefore can justify an insurrection, neither can it ever be necessary where rights are equal and opinions free

Taking then the principle of equal rights as the foundation of the Revolution and consequently of the constitution, the organical part, or the manner in which the several parts of the government shall be arranged in the constitution, will, as is already said, fall within the province of opinion

Various methods will present themselves upon a question of this kind and though experience is yet wanting to determine which is the best it has I think sufficiently decided which is the worst That is the worst which in its deliberations and decisions, is subject to the precipitance and passion of an individual, and when

such as America and France this right in the individual can only be exercised by delegation that is by election and representation and hence it is that the institution of representative government arises

Hitherto I have confined myself to matters of principle only First that hereditary government has not a right to exist that it cannot be established on any principle of right and that it is a violation of all principle Secondly that government by election and representation has its origin in the natural and eternal rights of man for whether a man be his own lawgiver as he would be in a state of nature or whether he exercises his portion of legislative sovereignty in his own person as might be the case in small democracies where all could assemble for the formation of the laws by which they were to be governed or whether he exercises it in the choice of persons to represent him in a national assembly of representatives the origin of the right is the same in all cases The first as is before observed is defective in power the second is practicable only in democracies of small extent the third is the greatest scale upon which human government can be instituted

Next to matters of *principle* are matters of *opinion* and it is necessary to distinguish between the two Whether the rights of men shall be equal is not a matter of opinion but of right and consequently of principle for men do not hold their rights as grants from each other but each one in right of himself Society is the guardian but not the giver And as in extensive societies such as America and France the right of the individual in matters of government cannot be exercised but by election and representation it consequently follows that the only system of government consistent with principle where simple democracy is impracticable is the representative system

But as to the organical part or the manner in which the several parts of government shall be arranged and composed it is altogether *matter of opinion* It is necessary that all the parts be conformable with the *principle of equal rights* and so long as this principle be religiously adhered to no very material error can take place neither can any error continue long in that part which falls within the province of opinion

cute the laws, of which that which is called the "judiciary" is the chief

But mankind have conceived an idea that *some kind of authority* is necessary to *superintend* the execution of the laws and to see that they are faithfully performed, and it is by confounding this superintending authority with the official execution that we get embarrassed about the term 'executive power" All the parts in the governments of the United States of America that are called the "executive" are no other than authorities to superintend the execution of the laws and they are so far independent of the legislative that they know the legislative only through the laws and cannot be controlled or directed by it through any other medium

In what manner this superintending authority shall be appointed or composed is a matter that falls within the province of opinion Some may prefer one method and some another and in all cases where opinion only and not principle is concerned the majority of opinions forms the rule for all

There are however some things deducible from reason and evidenced by experience that serve to guide our decision upon the case The one is never to invest any individual with extraordinary power for besides his being tempted to misuse it, it will excite contention and commotion in the nation for the office Secondly, never to invest power long in the hands of any number of individuals The inconveniences that may be supposed to accompany frequent changes are less to be feared than the danger that arises from long continuance

I shall conclude this discourse with offering some observations on the means of *preserving liberty* for it is not only necessary that we establish it but that we preserve it

It is in the first place necessary that we distinguish between the means made use of to overthrow despotism *in order to* prepare the way for the establishment of liberty, and the means to be used after the despotism is overthrown

The means made use of in the first case are justified by necessity Those means are, in general insurrections, for while the established government of despotism continues in any country, it is scarcely possible that any other means can be used It is also

the whole legislature is crowded into one body, it is an individual in mass In all cases of deliberation, it is necessary to have a corps of reserve, and it would be better to divide the representation by lot into two parts, and let them revise and correct each other, than that the whole should sit together and debate at once

Representative government is not necessarily confined to any one particular form The principle is the same in all the forms under which it can be arranged The equal rights of the people is the root from which the whole springs, and the branches may be arranged as present opinion or future experience shall best direct As to that *hospital of incurables* (as Chesterfield[5] calls it), the British House of Peers, it is an excrescence growing out of corruption, and there is no more affinity or resemblance between any of the branches of a legislative body originating from the right of the people and the aforesaid House of Peers than between a regular member of the human body and an ulcerated wen

As to that part of government that is called the "executive,' it is necessary in the first place to fix a precise meaning to the word

There are but two divisions into which power can be arranged First, that of willing or decreeing the laws, secondly, that of executing or putting them in practice The former corresponds to the intellectual faculties of the human mind, which reasons and determines what shall be done the second, to the mechanical powers of the human body that puts that determination into practice

If the former decides and the latter does not perform, it is a state of imbecility, and if the latter acts without the predetermination of the former, it is a state of lunacy The executive department therefore is official and is subordinate to the legislative, as the body is to the mind in a state of health for it is impossible to conceive the idea of two sovereignties a sovereignty to *will* and a sovereignty to *act*

The executive is not invested with the power of deliberating whether it shall act or not it has no discretionary authority in the case, for it can *act no other thing* than what the laws decree and it is *obliged* to act conformably thereto and in this view of the case the executive is made up of all the official departments that exe

NOTES

COMMON SENSE

[1] Charles I, who became King of England in 1625 was condemned as a traitor and enemy of the nation and was beheaded in 1649

[2] The words of Jesus as reported in Matthew 22 21 Tory politicians and pamphleteers of the period frequently used this injunction as Biblical authority for the submission of the individual to the state

[3] Gideon delivered the Israelites from the Midianites, as described in Judges 6 1 27 8 1 23

[4] Samuel s yielding to the people s clamor for a king is related in I Samuel 8

[5] William I King of England was the illegitimate son of Robert "Le Diable Duke of Normandy He invaded England in 1066 and acquired the throne as a result of his victory in the battle of Hastings

[6] York and Lancaster were the two noble families whose rivalry for the throne of England brought on the Wars of the Roses, so called because the emblem of the House of York was a white rose and that of Lancaster a red rose The contesting monarchs mentioned in this paragraph are Henry VI (reigned 1422 1461) and Edward IV (reigned 1461 1483)

[7] Henry VII reigned from 1485 to 1509

[8] Sir William Meredith who died in 1790 was a lord of the admiralty under Rockingham s first ministry (1765) He was also the author of several political works

[9] This reference is too vague for positive identification Paine probably has in mind one of two brothers Henry Pelham (1695? 1754) or Thomas Pelham Holles (1693 1768) both of whom, at various times held ministerial positions in the English government. See *Dictionary of National Biography*

[10] On April 19 1775 the battles of Lexington and Concord were fought. These battles marked the opening hostilities of the American Revolution

certain that in the commencement of a revolution the revolutionary party permit to themselves a *discretionary exercise of power* regulated more by circumstances than by principle which were the practice to continue liberty would never be established or if established would soon be overthrown It is never to be expected in a revolution that every man is to change his opinion at the same moment

There never yet was any truth or any principle so irresistibly obvious that all men believed it at once Time and reason must cooperate with each other to the final establishment of any principle and therefore those who may happen to be first convinced have not a right to persecute others on whom conviction operates more slowly The moral principle of revolutions is to instruct not to destroy

Had a constitution been established two years ago (as ought to have been done) the violences that have since desolated France and injured the character of the Revolution would in my opinion have been prevented The nation would then have had a bond of union and every individual would have known the line of conduct he was to follow But instead of this a revolutionary government a thing without either principle or authority was substituted in its place virtue and crime depended upon accident and that which was patriotism one day became treason the next

All these things have followed from the want of a constitution for it is the nature and intention of a constitution to *prevent governing by party* by establishing a common principle that shall limit and control the power and impulse of party and that says to all parties *thus far shalt thou go and no further* But in the absence of a constitution men look entirely to party and instead of principle governing party party governs principle

An avidity to punish is always dangerous to liberty It leads men to stretch to misinterpret and to misapply even the best of laws He that would make his own liberty secure must guard even his enemy from oppression for if he violates this duty he establishes a precedent that will reach to himself

THOMAS PAINE

Paris July 1795

[20] John Entick, *A New Naval History, or, Compleat View of the British Marine* London, 1757 "Introduction," page lvi

[21] Josiah Burchett (1666?-1746) was at an early age taken into the naval office by Samuel Pepys Throughout much of his life Burchett was connected with English naval affairs, serving from 1698 to 1742 as secretary of the admiralty

[22] Paine here refers to the French and Indian War (1756-1763), which resulted from the territorial rivalry between England and France

[23] Philadelphia is located on the Delaware River

[24] Charles W Cornwall (1735 1789) held the office of a lord of the treasury from 1774 to 1780 in the government of North

[25] The King s speech addressed to Parliament may be found in the *Pennsylvania Gazette* for Jan 10 1776 The King here averred that he was anxious to prevent, if it had been possible, the effusion of the blood of my subjects, and the calamities which are inseparable from a state of war, still hoping that my people in America would have discerned the traitorous views of the leader and have been convinced that to be a subject of Great Britain, with all its consequences is to be the freest member of any civil society in the known world The rebellious war now levied is become more general manifestly carried on for the p[illegible]
empire I need not dwell upon t[illegible]
a plan It is now becom[illegible]
effects) of clemency [illegible]
most decisive exert[illegible]
establishment and [illegible] forces but in such a manner as may be the least burthensome to my kingdoms I have also the satisfaction to inform you, that I have received the most friendly offers of foreign assistance "

[26] Sir John Dalrymple (1726-1810) was "appointed baron of the exchequer in 1776 He was a writer of history, as well as a pamphleteer The tract to which Paine here refers is entitled *The Address of the People of Great Britain to the Inhabitants of America* (London 1775) The quotation with slight variations in phrasing, may be found on page 31 of the pamphlet

[27] Charles Watson Wentworth [illegible]
(1730-1782) [illegible]
In [illegible]
car[illegible] Ameri[illegible]
In [illegible] Lord North as prime minister, but died within [illegible] Stamp Act was repealed three months after taking office

[11] The reference is to the Seven Years' War, carried on from 1756 to 1763 by Frederick II of Prussia against Austria, Russia, and France During this war Hanover suffered materially from the ravages of the French

[12] As a result of the destruction by the inhabitants of Boston of large quantities of tea sent from England (an event known as the "Boston Tea Party"), the English government passed in 1774 a series of acts greatly curtailing the freedom of the colony and causing much hardship

[13] A quotation from *Paradise Lost*, iv 98-99

[14] In 1765 the British Parliament passed a Stamp Act, which required that all American newspapers, pamphlets, legal documents, etc , bear a revenue stamp This act, which greatly angered the American colonies, was repealed the following year

[15] Lord Frederick North was the British prime minister throughout most of the American Revolution Many Americans naturally felt that the removal of North, who was a tool of the King, might alleviate the oppression which the colonists were suffering at the hand of the British government

[16] The battle of Bunker Hill, fought in Boston on June 17, 1775, *resulted in a victory for the British*

[17] George III, who reigned from 1760 to 1820

[18] The Magna Charta, or Great Charter, was granted by King John of England in 1215 to the barons This famous document is usually regarded as the basis of English liberties

[19] *Giacinto (Hyacinthe)*, Marquis de Dragonetti, was born in

work was written in opposition to the celebrated work of Beccaria on the reform of the penal system, *Trattato dei delitti e delle pene*

[20] John Entick, *A New Naval History, or Compleat View of the British Marine* London 1757 ' Introduction, page lvi

[21] Josiah Burchett (1666? 1746) was at an early age taken into the naval office by Samuel Pepys Throughout much of his life Burchett was connected with English naval affairs, serving from 1698 to 1742 as secretary of the admiralty

[22] Paine here refers to the French and Indian War (1756-1763) which resulted from the territorial rivalry between England and France

[23] Philadelphia is located on the Delaware River

[24] Charles W Cornwall (1735 1789) held the office of a lord of the treasury from 1774 to 1780 in the government of North

[25] The King s speech addressed to Parliament may be found in the *Pennsylvania Gazette* for Jan 10 1776 The King here averred that he was anxious to prevent if it had been possible the effusion of the blood of my subjects and the calamities which are inseparable from a state of war, still hoping that my people in America would have discerned the traitorous views of the leader and have been convinced that to be a subject of Great Britain with all its consequences is to be the freest member of any civil soc e world The rebellious war n manifestly car empire I need a plan effects) of clemency to put a speedy end to these disorders by the become the part of wisdom and (in its the success of such most decisive exertions For this purpose I have increased my naval establishment and greatly augmented my land forces but in such a manner as may be the least burthensome to my kingdoms I have also the satisfaction to inform you that I have received the most friendly offers of foreign assistance

[26] Sir John Dalrymple (1726-1810) was appointed baron of the exchequer in 1776 He was a writer of history as well as a pamphleteer The tract to which Paine here refers is entitled *The Address of the People of Great Britain to the Inhabitants of America* (London 1775) The quotation with slight variations in phrasing may be found on page 31 of the pamphlet

[27] Charles Watson Wentworth second Marquis of Rockingham (1730-1782) was lord of the treasury and prime minister, 1765 66 In politics he was a Whig and favored independence for the American Colonies Under his administration the Stamp Act was repealed In 1782 he succeeded Lord North as prime minister, but died within three months after taking office

[11] The reference is to the Seven Years' War, carried on from 1756 to 1763 by Frederick II of Prussia against Austria, Russia, and France During this war Hanover suffered materially from the ravages of the French.

[12] As a result of the destruction by the inhabitants of Boston of large quantities of tea sent from England (an event known as the [illegible]

[13] A quotation from *Paradise Lost*, iv 98-99

[14] In 1765 the British Parliament passed a Stamp Act, which required that all American newspapers, pamphlets, legal documents, etc, bear a revenue stamp This act, which greatly angered the American colonies, was repealed the following year

[15] Lord Frederick North was the British prime minister throughout most of the American Revolution Many Americans naturally felt that the removal of North, who was a tool of the King, might alleviate the oppression which the colonists were suffering at the hand of the British government

[16] The battle of Bunker Hill, fought in Boston on June 17, 1775, resulted in a victory for the British

[17] George III, who reigned from 1760 to 1820

[18] The Magna Charta, or Great Charter, was granted by King John of England in 1215 to the barons This famous document is usually regarded as the basis of English liberties

[19] Giacinto (Hyacinthe), Marquis de Dragonetti, was born in Lower Abruzzia in 1738 After entering the legal profession, he was named to a chair of public law at the University of Naples In recognition of his legal talents, he was at various times a member of the *Sicilian* [illegible] (whether in Sicily c [illegible] (simila [illegible] treatise, *Della* [illegible] cted French [illegible] ation, under [illegible] 1769 This work was written in opposition to the celebrated work of Beccaria [illegible]

[20] John Entick, *A New Naval History, or, Compleat View of the British Marine* London, 1757 "Introduction," page lvi

[21] Josiah Burchett (1666?-1746) was at an early age taken into the naval office by Samuel Pepys Throughout much of his life Burchett was connected with English naval affairs, serving from 1698 to 1742 as secretary of the admiralty

[22] Paine here refers to the French and Indian War (1756 1763), which resulted from the territorial rivalry between England and France

[23] Philadelphia is located on the Delaware River

[24] Charles W Cornwall (1735 1789) held the office of a lord of the treasury from 1774 to 1780 in the government of North

[25] The King's speech addressed to Parliament may be found in the *Pennsylvania Gazette* for Jan 10, 1776 The King here averred that he was 'anxious to prevent, if it had been possible, the effusion of the blood of my subjects and the calamities which are inseparable from a state of war, still hoping that my people in America would have discerned the traitorous views of the leader and have been convinced that to be a subject of Great Britain, with all its consequences is to be the freest member of
world The rebellious w
manifestly carried on for
empire I need not dwell
a plan It is now
effects) of clemency
most decisive exert
establishment and
a manner as may be the least burthensome to my kingdoms I have also the satisfaction to inform you, that I have received the most friendly offers of foreign assistance

[26] Sir John Dalrymple (1726-1810) was "appointed baron of the exchequer in 1776 He was a writer of history, as well as a pamphleteer The tract to which Paine here refers is entitled *The Address of the People of Great Britain to the Inhabitants of America* (London 1775) The quotation with slight variations in phrasing, may be found on page 31 of the pamphlet

[27] Charles Watson Wentworth second
(1730-1782)
In politics
can Colonie
In 1782 he Lord North as prime minister, but died within three months after taking office the Stamp Act was repealed Ameri

[28] Paine here refers again to the French and Indian War (1756-1763).

[29] [illegible]

[30] The American Tories were the political party that remained loyal to the Crown and opposed the independence of the Colonies, whereas the Whigs desired greater independence from England—home rule or even complete separation from the British Commonwealth Although the names were borrowed from the two major political parties of England, the political division which they signified in America differed from that in England The Tory party in England was the successor of the Court party and upheld the prerogative of the Crown over Parliament, while the Whigs defended the sovereignty of Parliament The English Tories were mostly titled landowners and, as to their religious affiliation, Episcopalians The Whigs drew their strength from the urban elements, especially the merchants, and from the small landowners They were Puritans, either Presbyterians or Independents

[31] Reference here is probably to a budget of news from England which appeared on December 11, 1775, in the *New-York Gazette and the* [illegible] through [illegible] reads "[illegible] try and America for the future government and tranquility of the latter country, is now under the consideration of the cabinet The general object of the proposed regulation is to put the Americans on the same footing of freedom, and under the same advantages, with the rest of his Majesty's subjects The whole continent is to be divided into large districts, each of which is to send a representative to the British Parliament The number of the representatives [illegible] their number [illegible] alling this plan [illegible] the unity of the [illegible] and representa- [illegible]

[32] The date "1763' marked the close of the French and Indian War, which for seven years had drained the resources of the colonies In the light of the passage of the notorious Stamp Act two years

later, the Americans looked back upon this date as marking the beginning of a period of relative freedom from British oppression

THE AMERICAN CRISIS: I

[1] Paine is here quoting loosely from the Declaratory Act passed

[2] Late in 1775 and early in 1776 numerous clashes took place in the Jerseys (now called New Jersey) between the Tories and the

mander-in-chief of the British forces in America from 1775 to 1778

[3] Fort Lee is located on the Jersey side of the Hudson River approximately opposite what is now 125th Street, New York City

[4] The North River is now more often called the Hudson

[5] Nathanael Greene

[6] François Arouet, called Voltaire (1694-1778), the French poet, historian, and philosopher

be p[illegible] and truth in my days

[9] Cf James 2 18 "Yea, a man may say, Thou hast faith, and I have works show me thy faith without thy works, and I will show thee my faith by my works"

[10] Thomas Gage was commander-in-chief of the British forces in America from 1763 to 1775

[11] Cf Philippians 4 7 "And the peace of God, which passeth all understanding, shall keep your hearts and minds through Christ Jesus"

[28] Paine here refers again to the French and Indian War (1756 1763)

[29] Paine here refers to the Quebec Act passed by the British Par liament in 1774 One of the provisions of this act placed the territory northwest of the Ohio under the control of Quebec

[30] The American Tories were the political party that remained loyal to the Crown and opposed the independence of the Colonies, whereas the Whigs desired greater independence from England—home rule or even complete separation from the British Common wealth Although the names were borrowed from the two major political parties of England, the political division which they signi fied in America differed from that in England The Tory party in England was the successor of the Court party and upheld the pre rogative of the Crown over Parliament, while the Whigs defended the sovereignty of Parliament The English Tories were mostly titled landowners and, as to their religious affiliation, Episcopalians The Whigs drew their strength from the urban elements, especially the merchants, and from the small landowners They were Puritans, either Presbyterians or Independents

[31] Reference here is probably to a budget of news from England which appeared on December 11, 1775, in the *New York Gazette and the Weekly Mercury*, a paper published by Hugh Gaine, who
throug
reads
try an
latter
The general object of the proposed regulation is to put the Ameri cans on the same footing of freedom and under the same advan
hole continent is
to send a repre
the representa
e, their number
alling this plan
the unity of the
and representa

[32] The date "1763' marked the close of the French and Indian War, which for seven years had drained the resources of the colonies In the light of the passage of the notorious Stamp Act two years

the internal peace and security of these kingdoms, and to require, in the most urgent manner, the immediate and vigilant attention of [illegible] Report of the *Committee of Secrecy of* [illegible]

(London, 1794).

[4] [illegible]

English throne.

[4] The [illegible]

[5] The Marquis de Lafayette (1757-1834), whose memory all [illegible]

Washington [illegible]

[6] Smithfield is the name of a once celebrated cattle market in London It was here that numerous Protestant martyrs met their death from 1400 to 1558

[7] The term "Dissenter" as here used [illegible]

[illegible] in the seventeenth century, asserted the source of religious authority to lie in the "inner voice," or the voice of God speaking directly to the individual without mediation of church or creed

[8] The Edict of Nantes [illegible]

[12] "Hessians" was the name applied to the German mercenary soldiers which the British hired during the American Revolution

[13] The [illegible] sylvania [illegible] close of

THE AMERICAN CRISIS XIII

[1] Paine was not always scrupulously accurate in his statements of fact From 1777 to 1779 he had been secretary of the Congressional committee on foreign affairs He was also for a brief period clerk of the *Pennsylvania Assembly*

[2] On April 19, 1783, the eighth anniversary of the battles of Lexington and Concord, Washington issued a proclamation announcing the end of the war and the discharge of the armies

RIGHTS OF MAN PART ONE

[1] Dr Richard Price (1723-1791) was a dissenting clergyman of England, who published in 1776 a brilliant defense of America, followed [illegible] *to is e* [illegible] *Nov* [illegible] *for the Commemorating the Revolution in Great Britain* (London 1790) The three 'fundamental rights are stated on pp 28 29

[2] The purpose of the Revolution Society was to commemorate the English revolution of 1688 and to preserve and disseminate the principles of Civil and Religious Liberty' See *An Abstract of the History and Proceedings of the Revolution Society in London* (London, 1789) The Society sent to the French National Assembly a congratulatory address which aroused the indignation of Burke See *Correspondence of the Revolution Society in London, with the National Assembly, and with Various Societies of the Friends of Liberty in France and England* (London, 1792)

The aim of the Society for Constitutional Information was 'to revive in the minds of their fellow citizens THE COMMONALTY AT LARGE, a knowledge of their lost Rights ' See *An Address to the* [illegible] *the Society for Constit[illegible]onal Information* (London, [illegible] an investigation of the [illegible] The result of the investigation revealed, it was affirmed that the activities of these organizations appear to become every day more and more likely to affect

party over the republicans, whereby in 1747 William IV became stadtholder of the Seven United Provinces (Netherlands)

[4] Paine here expresses himself inaccurately The President is not

of the city council After 1750, when he was elected a delegate to the Pennsylvania Assembly, he was increasingly involved in state and colonial politics He was a signer of the Declaration in 1776, and later in the same

New York, 1952)

[6] Paine is here refer

English throne in 1714

[7] That is, nine out of the original thirteen states

[8] Paine here refers

Eng

man

gove His speeches in the House of Commons have been collected in six volumes

DISSERTATION ON FIRST PRINCIPLES OF GOVERNMENT

such as in England and Holland

[2] Paine is probably referring here to the general uprising of the Poles in 1794 under the leadership of General Thaddeus Kosciusko

in John Quincy Adams' *Oration on the Life and Character of Gilbert Motier de Lafayette* (Washington, 1835), p 39 "May this immense Temple of Freedom ever stand, a lesson to oppressors, an example to the oppressed, a sanctuary for the rights of mankind!"

[10] Henry IV, King of France (reigned 1589 1610), who was responsible for the Edict of Nantes, did much to improve economic conditions in France and was an idol of the lower classes (See also note 8)

RIGHTS OF MAN PART TWO

[1] In 1778 certain Catholic disabilities in England were removed by act of Parliament Lord George Gordon as president of the Protestant Association sought in 1780 a repeal of this act Gordon's cause was soon taken up by the masses, and riots ensued involving the destruction of many Catholic churches, as well as the burning of Newgate prison

[2] The Abbe Emmanuel Joseph Sieyès (1748 1836) played an active part in the early stages of the French Revolution, although he advocated the retention of the monarchy In the issue of the *Gazette nationale, ou le Moniteur universal* for July 6 1791, Sieyès (who signs himself 'Emm Syeyes") defends the institution of monarchy thus

Ce n est ni pour caresser d anciennes habitudes ni par aucun sentiment superstitieux de royalisme que je préfère la monarchie Je la préfère parce qu il m est demontre qu il y a plus de liberté pour le citoyen dans la monarchie que dans la république

He later presents a challenge 'J'entrerai en lice avec les républicains de bonne foi

In a 'Lettre de M Thomas [illegible]
le 8 juillet 1791, which appe [illegible]
nationale for July 16 Paine [illegible]
Sieyès and to defend a republican form of government against the
[illegible] Foner II
[illegible] ection of
[illegible] m Sieyes
[illegible] *ionale* for
[illegible] e French
author

[3] In using the date 1715 Paine has in mind the Treaty of Utrecht (actually signed in 1713) which brought to a close the war of the Spanish succession

The date "1745 probably refers to the victory of the Orange

party over the republicans, whereby in 1747 William IV became stadtholder of the Seven United Provinces (Netherlands)

[4] Paine here expresses himself inaccurately. The President is not a member of Congress In the light of the following sentence, Paine apparently means that the President possesses extraordinary executive power, which cannot be entrusted to an immature mind, as is sometimes the case with a king in a hereditary monarchy

[5] Born in Boston in 1706, Benjamin Franklin went to Philadel

Pennsylvania Assembly, he was increasingly involved in state and colonial politics He was a signer of the Declaration in 1776, and later in the same year went to France to seek the aid of that country

New York, 1952)

[6] Pa

from F

note 3

English throne in 1714

[7] That is, nine out of the original thirteen states

[8] Paine here refers once more to the ascension to the throne of England by George I elector of Hanover, in 1714

[9] Charles James Fox (1749 1806) was a celebrated Whig statesman who held numerous positions of importance in the English government His speeches in the House of Commons have been collected in six volumes

DISSERTATION ON FIRST PRINCIPLES OF GOVERNMENT

[1]

as in England and Holland

[2] Paine is probably referring here to the general uprising of the Poles in 1794 under the leadership of General Thaddeus Kosciusko

in John Quincy Adams' *Oration on the Life and Character of Gilbert Motier de Lafayette* (Washington, 1835), p 39 'May this immense Temple of Freedom ever stand, a lesson to oppressors, an example to the oppressed, a sanctuary for the rights of mankind!

[10] Henry IV, King of France (reigned 1589 1610), who was responsible for the Edict of Nantes, did much to improve economic conditions in France and was an idol of the lower classes (See also note 8)

RIGHTS OF MAN PART TWO

[1] In 1778 certain Catholic disabilities in England were removed by act of Parliament Lord George Gordon as president of the Protestant Association sought in 1780 a repeal of this act Gordon s cause was soon taken up by the masses and riots ensued involving the destruction of many Catholic churches, as well as the burning of Newgate prison

[2] The Abbé Emmanuel Joseph Sieyès (1748 1836) played an active part in the early stages of the French Revolution, although he advocated the retention of the monarchy In the issue of the *Gazette nationale, ou le Moniteur universal* for July 6, 1791, Sieyès (who signs himself 'Emm Syeyes') defends the institution of monarchy thus

Ce n est ni pour caresser d anciennes habitudes ni par aucun sentiment superstitieux de royalisme que je préfère la monarchie Je la préfère parce qu il m est démontré qu il y a plus de liberté pour le citoyen dans la monarchie que dans la république

He later presents a challenge J'entrerai en lice avec les républicains de bonne foi

In a ' Lettre de M Thomas Paine à M Emmanuel Syeyes Paris le 8 juillet 1791 which appeared in the *Supplément à la Gazette nationale* for July 16 Paine promises to accept the challenge of [illegible]

author

[3] In using the date 1715 Paine has in mind the Treaty of Utrecht (actually signed in 1713) which brought to a close the war of the Spanish succession

The date ' 1745 probably refers to the victory of the Orange

party over the republicans, whereby in 1747 William IV became stadtholder of the Seven United Provinces (Netherlands).

[4] P[illegible] has [illegible] himself incompletely. The President is not [illegible]

[5] Born in Boston in 1706, Benjamin Franklin went to Philadelphia [illegible]

[illegible]

New York, 1952).

[6] [illegible]
fro[illegible]
note [illegible]
English throne in 1714

[7] That is, nine out of the original thirteen states

[8] Paine here refers once more to the ascension to the throne of England by George I, elector of Hanover, in 1714

[9] Charles James Fox (1749-1806) was a celebrated Whig statesman, who held numerous positions of importance in the English government His speeches in the House of Commons have been collected in six volumes

DISSERTATION ON FIRST PRINCIPLES OF GOVERNMENT

[1] [illegible]
any [illegible]
to t[illegible]
sen[illegible]
pre[illegible], such as in England and Holland.

[2] Paine is probably referring here to the general uprising of the Poles, in 1794, under the leadership of General Thaddeus Kosciusko

The war ended in 1795 with the defeat of General Kosciusko's forces and the third and final partition of Poland

[3] Maximilien de Robespierre (1758 1794) was the son of an unsuccessful French advocate and had himself studied law He was elected a member of the National Assembly in 1789 and thereafter played an increasingly important role in the French Revolution He was the leader of the Jacobins, the radical club which was in a large degree responsible for the Reign of Terror Robespierre was overthrown in 1794 by the Revolutionary Tribunal and guillotined on June 28 of that year

[4] Ca [illegible] to have p [illegible] ote descen [illegible] 92 under the name of Louis Capet

The Guelphs and the Ghibellines were two opposing political factions in Italy and Germany Between the twelfth and the fourteenth centuries the conflict between these parties was responsible for much of the history of the two countries The term "Guelph" has since been used with various significations According to *Haydn's Dictionary of Dates* (New York, 1898), "Guelph (of uncertain origin) is the popular name of the present royal family of England"

Jean Paul Marat, a friend of Robespierre, was intimately connected during the French Revolution with the Reign of Terror

[5] Philip Dormer Stanhope (1694 1773), Earl of Chesterfield, was an English statesman and a man of brilliant wit, distinguished for his polished manner He is best known for his *Letters to his Son* (first published, 1774) His other writings include *Letters to his Godson* (first published, 1890), addressed to his adopted son

The war ended in 1795 with the defeat of General Kosciusko's forces and the third and final partition of Poland.

[3] Maximilien de Robespierre (1758-1794) was the son of an unsuccessful French advocate and had himself studied law. He was elected a member of the N
played
was the
degree
thrown ... guillotined on *June 28 of that year.*

[4] Capet was the name of a French royal house which is said to have provided Europe with 118 sovereigns. Louis XVI, by remote descent a Capet, was indicted by the National Convention in 1792 under the name of *Louis Capet.*

The Guelphs and the Ghibellines were two opposing political factions in Italy and Germany. Between the twelfth and the fourteenth centuries the conflict between these parties was responsible for much of the history of the two countries. The term "Guelph" has since been

... a friend of Robespierre, was intimately connected during the French Revolution with the Reign of Terror.

[5] Philip D

... 1774). His other writings include *Letters to his Godson* (first published, 1890), addressed to his adopted son.